



- | | Ft. | In. |
|---|------|-----|
| (40) Minimum clear available length of through siding at any roadside station which may be used as a crossing station | 1600 | 0 |

N.B.—The “available length” of siding (whether the line be curved or straight) terminates where the distance between the centre line of the siding and the centre line of an adjacent track begins to be less than 14 feet.

On any section of a railway having a ruling gradient heavier than 1 in 100, the length of platform and sidings may (with the sanction of the Government of India) be reduced to such an extent as may appear advisable. But for each such special case the sanction of Government is to be obtained to the proposals *before* work is commenced.

VI. STATION MACHINERY

WATER TANKS—

Minimum height for bottom of tank above rail level *at water column* :—

- | | | |
|--|----------------|---|
| (41) For watering engines | 20 | 0 |
| (42) For washing out engines | 30 | 0 |
| (43) Minimum distance from centre of track to face of tank house when adjacent to a passenger platform | 30 | 0 |
| (44) Minimum capacity of tank at any station | C. ft.
1000 | 0 |

WATER CRANES—

- | | | |
|--|-----|-----|
| (45) Minimum distance in the clear from centre of track to nearest part of water column from 1 foot above rail level | Ft. | In. |
| (46) Standard height above rail level for discharge orifice of water crane jib | 7 | 0 |
| (47) Standard internal diameter for piping from tank to water crane | 12 | 0 |
| | 0 | 8 |

N.B.—This diameter should be increased where the same pipe serves two or more water columns likely to be used at the same time.

ASH-PITS, ETC.—

- | | | |
|---|----|---|
| (48) Minimum clear length at bottom for ash-pits in station yards | 60 | 0 |
|---|----|---|



APPENDIX A

263

	FT.	IN.
(49) Standard average depth for ash-pits in station yards	3	0
(50) Standard depth for examining pits for carriages and waggons	2	6

ENGINE RUNNING SHEDS—

Minimum width for running sheds inside in the clear :—

(51) For two lines of rail	45	0
(52) For one line of rail	28	0
(53) Minimum distance centre to centre of tracks in running sheds	17	0

Running shed doorways :—

(54) Minimum width	15	0
(55) Minimum height, if flat at top	14	6
(56) Minimum height to crown of arch, if with semicircular arch	16	0
(57) Standard average depth for wash-out pits in running sheds	2	6
(58) Standard average depth for repairing pits in running sheds	2	0

TURNABLES—

(59) Minimum diameter for engine turntables	50	0
(60) Minimum diameter for carriage or waggon turntables	18	0

TRAVERSERS—

(61) Minimum length for carriage or waggon traversers	18	0
---	----	---

WEIGH-BRIDGES—

(62) Minimum length for weigh-bridges for ordinary stock	18	0
(63) Minimum weighing power, for weigh-bridges for ordinary stock	Tons. 24	

VII. LOCOMOTIVE ENGINES.

MAXIMUM MOVING DIMENSIONS—

- (64) The maximum moving dimensions laid down for carriages and waggons apply also to locomotive engines.



WEIGHT ON A PAIR OF WHEELS—

	TONS.
(65) Maximum under any circumstances .	15
(66) Maximum per foot of diameter .	3.75

WEIGHT PER FOOT RUN OF WHEEL BASE—

(67) Maximum for either engine or tender separately, in the case of tender engines .	3.0
(68) Maximum for tank engines .	4.0

WEIGHT PER FOOT RUN OVER BUFFERS—

(69) Maximum for engine and tender together, in the case of tender engines .	1.625
(70) Maximum for tank engines .	1.875

TOTAL GROSS WEIGHT—

(71) Maximum for engine and tender together in the case of tender engines .	86
(72) Maximum for tank engines .	60

N.B.—The weights given above are the maximum permissible under any circumstances, with engine in working order and full load of fuel and water.

In exceptional cases, engines of weights in excess of the specification given above may be used under the special sanction of the Government of India. Such special sanction must be obtained *before* the engines are ordered, and the application for sanction must be accompanied by a diagram of the proposed engine, giving full particulars, and by a certificate by the Government Inspector that the bridges on the section over which the engines are intended to work are of sufficient strength.

VIII. CARRIAGES AND WAGGONS.

MAXIMUM MOVING DIMENSIONS. (*See also Diagram*

No. 1)—

Maximum width :—

		Ft.	In.
(73)	From rail level to a height of 4 feet 4 inches above rail level .	10	0
(74)	From a height of 4 feet 4 inches above rail level to a height of 11 feet 6 inches above rail level .	10	6

N.B.—These heights are to be taken with the vehicle unloaded and buffer centres at the maximum height of 3 feet 7½ inches from rail level. For further details see Diagram No. 1.



APPENDIX A

265

Maximum height from rail level :—		Ft.	In.
(75)	For unloaded vehicle at centre	13	6
(76)	For unloaded vehicle at sides	11	6
Loading gauge for goods :—			
(77)	Maximum width	10	8
(78)	Maximum height from rail level at centre	13	7
(79)	Maximum height from rail level at sides	11	7
MAXIMUM GROSS WEIGHT—		Tons.	
(80)	On any pair of wheels	12	
(81)	Per foot run over buffers	1.2	

N.B.—The weights given above are the maximum permissible under any circumstances, with the vehicle fully loaded. The weight on a pair of wheels includes the weight of the wheels, axles, axle-boxes, and springs.

WHEEL BASE—

	Ft.	In.
(82) Maximum rigid wheel base for passenger vehicles	16	0
(83) Maximum rigid wheel base for goods vehicles	12	0

BUFFERS AND COUPLINGS—

(84) Standard distance apart for centres of buffers	6	5
(85) Maximum height above rail level for centres of buffers for unloaded vehicles	3	7½
(86) Minimum height above rail level for centres of buffers for fully loaded vehicles	3	4½

HEIGHT FOR FLOORS—

(87) Maximum height above rail level for floor of any vehicle unloaded	4	4
(88) Minimum height above rail level for floor of passenger vehicle fully loaded	4	1
(89) Minimum height above rail level for floor of goods vehicle fully loaded	3	8½

WHEELS AND AXLES—

(90) Standard wheel gauge, or distance apart for all wheel flanges	5	3
--	---	---

	FT.	IN.
(91) Standard diameter on the tread for new wheels	3	7
(92) Maximum projection for flange of worn tyre below rail level	0	1 $\frac{3}{8}$
(93) Minimum thickness on tread for tyres for passenger stock when worn	0	1 $\frac{1}{4}$
(94) Minimum thickness on tread for tyres for goods stock when worn	0	1

ROOF LAMPS—

(95) Standard diameter inside in the clear for rings of carriage roof lamps	0	8 $\frac{1}{4}$
(96) Standard diameter for carriage roof lamps at level of ring	0	8

STANDARD DIMENSIONS
 TO BE OBSERVED ON RAILWAYS IN INDIA

Metre Gauge

NOTE.—The maximum, minimum, and fixed dimensions and loads given in this schedule may not be infringed under any circumstances without the special sanction of the Government of India. Where it is proposed to execute any work or to procure bridge girders, station machinery, rolling stock, or other railway material which will infringe these dimensions or loads, the sanction of the Government of India is to be obtained before such work is commenced or order given.

I. FORMATION

SINGLE LINE—

	Minimum width of formation—	Ft.	In.
(1)	In embankment	16	0
(2)	In cutting (<i>excluding side drains</i>)	14	0

DOUBLE LINE—

	Minimum width of formation—	Ft.	In.
(3)	In embankment	28	0



	Ft.	In.
(4) In cutting (<i>excluding side drains</i>)	26	0
(5) Standard distance centre to centre of tracks (out of stations)	12	0

CURVES—

Maximum angle of curvature—

(6) In ordinary country	5° 0'	(rad. = 1146 ft.)
(7) In difficult country	10° 0'	(rad. = 573 ft.)

N.B.—The angle of curvature is taken as the angle at the centre subtended by an arc of 100 feet in length. Thus the radius for a one degree curve is 5729.578 feet.

The maximum angle of curvature should *only be worked to in special cases* where the adoption of an easier curve would be impracticable or involve considerable extra expense. Under very exceptional circumstances, where it may appear necessary that this rule should be relaxed, the matter should be referred to the Government of India for orders.

The maximum angles of curvature given above do not apply to curves in station yards.

II. BALLAST AND PERMANENT WAY.

BALLAST—

	Ft.	In.
(8) Minimum width of ballast at rail level	7	6
(9) Minimum depth of ballast below sleepers	0	6

N.B.—These minimum dimensions may be relaxed in the case of a line being opened to traffic before the banks have settled.

SLEEPERS—

Minimum dimensions for timber cross sleepers—

(10) Length	6	0
(11) Breadth	0	7
(12) Depth	0	4½
(13) Minimum area in cross section	Sq. in.	36
(14) Minimum number of cross sleepers per mile	No.	1936

N.B.—On bridges where the cross sleepers rest directly on longitudinal girders, the sleepers are to be spaced not more than 1 ft. 6 in. apart, centre to centre, and are to be not less than 5 inches deep exclusive of any notching which may be required on the underside to allow for the cover plates, camber, etc.

RAILS—

	Ft.	In.
(15) Maximum clearance of guard rail for points and crossings	0	1 $\frac{3}{4}$
(16) Minimum clearance of guard rail for points and crossings	0	1 $\frac{5}{8}$
(17) Minimum clearance of guard rail for curves and level crossings	0	2
<i>N.B.</i> —The <i>maximum</i> clearance for curves and level crossings will vary according to the radius of curve.		
(18) Minimum depth of space for wheel flange, from rail level	0	1 $\frac{3}{8}$

III. FIXED STRUCTURES—IN STATIONS

(See also Diagram No. 1.)

PLATFORMS—

(19) Standard horizontal distance from centre of track to face of platform wall or nosing (if any)	4	5
--	---	---

N.B.—The upper edge of the nosing or coping to platform wall is to be finished to form an arris, without any rounding or chamfer.

If the platform be on a curve, the horizontal distance from centre of adjacent track is to be increased as follows :—

For a curve of 8 degrees (716 ft. rad.)	allow	5 $\frac{1}{4}$ in. extra
" " 6 " (955 ft. rad.)	"	4 in. "
" " 4 " (1432 ft. rad.)	"	2 $\frac{1}{2}$ in. "
" " 2 " (2865 ft. rad.)	"	1 $\frac{1}{4}$ in. "
and for other curves in proportion.		

(20) Standard height above rail level for passenger platforms	2	0
(21) Alternative height above rail level for passenger platforms at minor stations	1	0

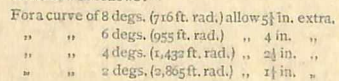
N.B.—Where passenger platforms are provided their height above rail level must be either 2 ft. 0 in. or 1 ft. 0 in. as specified above, no other height being permissible. At places where passengers are intended to get into or out from trains, but at which a platform is not provided, a piece of ground for a length of not less than 800 feet and for a width of not less than 20 feet from outer rail, is to be brought to a smooth even surface at rail level, and properly finished with gravel or similar material.



DIAGRAM No. 1.

STANDARD DIMENSIONS IN STATIONS

NOTE.—A projecting overhanging roof is permissible in the case of a goods shed on a siding, if it extend over centre of track at a height of 14 ft. 6 in. above rail level, or, if it does not infringe the figure for minimum fixed structure out of stations (see Diagram No. 2).



Scale $\frac{1}{4}$ Inch to 1 Foot.



APPENDIX A

269
CSL

Ft. In.

- (22) Standard height above rail level for goods, carriage, and horse landing platforms .

2 3

N.B.—The ends of *all* platforms must be ramped, the slope being not steeper than 1 in 6.

BUILDINGS—

- (23) Minimum horizontal distance of any building from the edge of a *passenger* platform .

30 0

N.B.—For an island platform, where it would be undesirable to allow the full width here specified, a plan showing the arrangements proposed to be submitted to the Government of India for special sanction.

- (24) Minimum horizontal distance from centre of track to any structure in the vicinity of a *passenger* platform (but not *on* a platform), within a height of 12 feet from rail level.
(*See Diagram No. 1*)

10 0

N.B.—This rule does not apply to point levers between tracks, to water cranes, or to loading gauges. (*See items Nos. 38, 45, and 77.*)

For extra allowance on sharp curves, see item No. 19.

- (25) Minimum horizontal distance from centre of track to any structure not in the vicinity of a *passenger* platform, from platform level, if any, or from 1 foot above rail level if there be no platform, to a height of 11 ft. 6 in. above rail level .

7 0

N.B.—Under the last entry, coal or any material stacked by the side of any track is to be considered a structure in the sense in which the word is here used.

A projecting overhanging roof is permissible in the case of a goods shed on a siding, if such roof extends over the centre of the track at a height of not less than 14 ft. 6 in. above rail level; or if it does not infringe the outline of the figure for minimum fixed structure out of stations.

(*See Diagram No. 2.*)

For extra allowance on sharp curves, see item No. 19.

PILLARS, LAMPS, ETC.—

- (26) Minimum horizontal distance from edge of

RAILWAY POLICY IN INDIA

	FT.	IN.
platform to pillars, columns, lamps, or similar isolated structures within a height of 12 feet from rail level	6	0

ROOFS, OVER-BRIDGES, ETC.—

(27) Minimum height above rail level, at centre of track, of tie-rods or underside of any continuous roof or covering in <i>passenger</i> stations	20	0
(28) Minimum height above rail level at centre of track for passenger foot-bridges crossing the line in stations	18	6
(29) Minimum height above rail level for telegraph wires crossing the line, or above surface of road where carried over roads within the boundary of a station	20	0

IV. FIXED STRUCTURES—OUT OF STATIONS

(See also Diagram No. 2.)

BUILDINGS, ETC.—

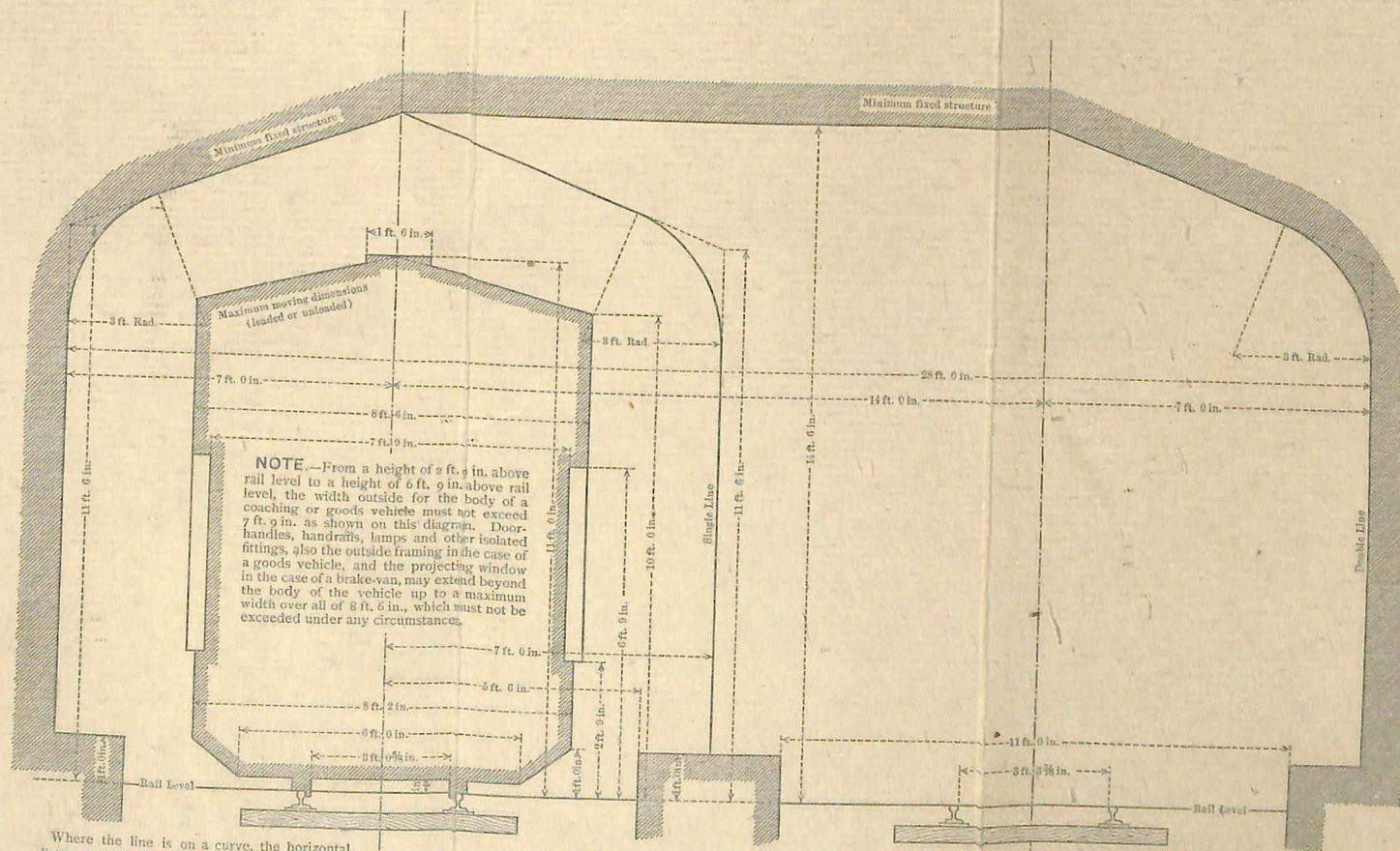
(30) Minimum horizontal distance from centre of track to any structure, except a girder carrying the track, and not designed for 5 ft. 6 in. gauge loads, out of stations, from 1 foot above rail level to a height of 11 ft. 6 in. above rail level. (<i>See Diagram No. 2.</i>)	7	0
(30 A) Minimum horizontal distance from centre of track from 1 foot above rail level, to 10 ft. 6 in. above rail level, to any part of a girder carrying the track, and not designed for 5 ft. 6 in. gauge loads	6	6
Minimum horizontal distance from centre of track from rail level to 1 foot above rail level	4	5

N.B.—Under this entry any material stacked by the side of the line is to be considered a structure in the sense in which the word is here used.

METRE GAUGE.
STANDARD DIMENSIONS.

DIAGRAM No. 2.

STANDARD DIMENSIONS OUT OF STATIONS.



NOTE.—From a height of 2 ft. 9 in. above rail level to a height of 6 ft. 9 in. above rail level, the width outside for the body of a coaching or goods vehicle must not exceed 7 ft. 9 in. as shown on this diagram. Door-handles, handrails, lamps and other isolated fittings, also the outside framing in the case of a goods vehicle, and the projecting window in the case of a brake-van, may extend beyond the body of the vehicle up to a maximum width over all of 8 ft. 6 in., which must not be exceeded under any circumstances.

Where the line is on a curve, the horizontal distance of a fixed structure from the centre of adjacent track is to be increased as follows:—

For a curve of 8 degs. (76 ft. rad.)	allow 5 1/2 in. extra.
" " 6 degs. (955 ft. rad.)	" 4 in. "
" " 4 degs. (1,433 ft. rad.)	" 2 1/2 in. "
" " 2 degs. (2,865 ft. rad.)	" 1 1/2 in. "

Scale 1/4 Inch to 1 Foot.

To face page 270.

Where the line is on a curve the horizontal distance of a fixed structure from the centre of adjacent track is to be increased as follows :—

For a curve of 8 degrees (716 ft. rad.) allow 5½ in. extra
 „ „ 6 „ (955 ft. rad.) „ 4 in. „
 „ „ 4 „ (1432 ft. rad.) „ 2½ in. „
 „ „ 2 „ (2865 ft. rad.) „ 1½ in. „
 and for other curves in proportion.

OVER-BRIDGES, ETC.—

	Ft.	In.
(31) Minimum height above rail level a centre of track for over-bridges out of stations .	14	6
(31 A) Minimum height above rail level at centre of track for overhead bracing of girders carrying the track, and not designed for 5 ft. 6 in. gauge loads	12	6
(32) Minimum height above rail level for telegraph wires crossing the line, or above surface of road where carried over roads at level crossings	20	0

N.B.—The minimum horizontal distance, from the centre line of nearest track, at which a telegraph post may be erected, is the total height of the post, plus seven feet. Also, where the line is in cutting, a telegraph post erected on the berm must be at a distance from the edge of the cutting of not less than the total height of the post.

TUNNELS—

- (33) For minimum dimensions. (*See Diagram No. 3.*)

V. STATION YARDS

SPACING OF TRACKS¹—

- (34) Minimum distance of tracks centre to centre—

Track nearest platform to next track .	16	7
All other tracks in station yards .	15	6

¹ When platforms are built on opposite sides of the line their distance apart face to face must be :—

26 ft. 6 in. if there are *two* tracks between,
 42 ft. 0 in. if there are *three* tracks between,
 57 ft. 6 in. if there are *four* tracks between,

and so on, adding 15 ft. 6 in. for each additional track.

POINTS AND CROSSINGS—

The following (items Nos. 35, 36, and 37) are recommended for general use, and are to be adopted on all State railways:—

		FT.	IN.
(35)	Minimum radius of curve	478	0
(36)	Standard crossings	$\left\{ \begin{array}{l} 1 \text{ in } 6 \\ 1 \text{ in } 8\frac{1}{2} \\ 1 \text{ in } 12 \end{array} \right.$	
(37)	Standard lengths for tongue rails	$\left\{ \begin{array}{l} 9 \text{ } 0 \\ 12 \text{ } 0 \end{array} \right.$	
(38)	Minimum horizontal distance from centre of track to point handle, indicator, or any part of point apparatus above rail level	7	0

N.B.—A point handle may not, in any position, be within 7 feet of the centre line of nearest track; a clear distance of 7 feet is also to be preserved from centre of nearest track to any part of the point apparatus, fixed or movable, above rail level. An arrangement involving the placing of a point handle between tracks should be avoided as far as practicable; but where this arrangement is adopted, the point handle must work parallel with the rails, not at right angles thereto.

ACCOMMODATION—

(39)	Minimum length for passenger platform (if provided)	600	0
(40)	Minimum clear available length of through siding at any roadside station which may be used as a crossing station	1600	0

N.B.—The “available length” of siding (whether the line be curved or straight) terminates where the distance between the centre line of the siding and the centre line of an adjacent track begins to be less than 14 feet.

On any section of a railway having a ruling gradient heavier than 1 in 100, the length of platform and sidings may (with the sanction of the Government of India) be reduced to such an extent as may appear advisable. But for each such special case the sanction of Government is to be obtained to the proposals *before* work is commenced.

VI. STATION MACHINERY

WATER TANKS—

Ft. In.

Minimum height for bottom of tank above
 rail level *at water column* :—

- | | | | |
|------|--|--------|---|
| (41) | For watering engines | 20 | 0 |
| (42) | For washing out engines | 30 | 0 |
| (43) | Minimum distance from centre of track to
face of tankhouse when adjacent to a pas-
senger platform | 30 | 0 |
| | | C. ft. | |
| (44) | Minimum capacity of tank at any station . . | 1000 | |

WATER CRANES—

- | | Ft. | In. |
|--|-----|-----|
| (45) Minimum distance in the clear from centre
of track to nearest part of water column
from 1 foot above rail level | 7 | 0 |
| (46) Standard height above rail level for discharge
orifice of water crane jib | 12 | 0 |
| (47) Standard internal diameter for piping from
tank to water crane | 0 | 6 |

N.B.—This diameter should be increased where
 the same pipe serves two or more water columns
 likely to be used at the same time.

ASH-PITS, ETC.—

- | | | |
|---|----|---|
| (48) Minimum clear length at bottom for ash-pits
in station yards | 50 | 0 |
| (49) Standard average depth for ash-pits in sta-
tion yards | 3 | 6 |
| (50) Standard depth for examining pits for car-
riages and waggons | 3 | 0 |

ENGINE RUNNING SHEDS—

Minimum width for running sheds inside in
 the clear :—

- | | | |
|--|----|---|
| (51) For two lines of rail | 45 | 0 |
| (52) For one line of rail | 28 | 0 |
| (53) Minimum distance centre to centre of tracks
in running sheds | 17 | 0 |

Running shed doorways :—

	Ft.	In.
(54) Minimum width	15	0
(55) Minimum height, if flat at top	14	6
(56) Minimum height to crown of arch, if with semicircular arch	16	0
(57) Standard average depth for wash-out pits in running sheds	3	0
(58) Standard average depth for repairing pits in running sheds	3	0

TURNTABLES—

(59) Minimum diameter for engine turntables	36	0
(60) Minimum diameter for carriage or waggon turntables	14	0

TRAVERSERS—

(51) Minimum length for carriage or waggon tra- versers	14	0
--	----	---

WEIGH-BRIDGES—

(62) Minimum length for weigh-bridges for ordi- nary stock	14	0
(63) Minimum weighing power for weigh-bridges for ordinary stock	Tons. 12	

VII. LOCOMOTIVE ENGINES

MAXIMUM MOVING DIMENSIONS—

- (64) The maximum moving dimensions laid down for carriages and waggons apply also to locomotive engines. (*See also Diagram No. I.*)

WEIGHT ON A PAIR OF WHEELS—

	Tons.
(65) Maximum under any circumstances	8
(66) Maximum per foot of diameter	2.67

WEIGHT PER FOOT RUN OF WHEEL BASE—

(67) Maximum for either engine or tender sepa- rately, in the case of tender engines	2.00
(68) Maximum for tank engines	2.67



WEIGHT PER FOOT RUN OVER BUFFERS—

	TONS.
(69) Maximum for engine and tender together, in the case of tender engines . . .	1.125
(70) Maximum for tank engines . . .	1.333

TOTAL GROSS WEIGHT—

(71) Maximum for engine and tender together, in the case of tender engines . . .	46
(72) Maximum for tank engines . . .	32

N.B.—The weights given above are the maximum permissible under any circumstances, with engine in working order and full load of fuel and water.

In exceptional cases, engines of weights in excess of the specification given above may be used under the special sanction of the Government of India. Such special sanction must be obtained *before* the engines are ordered, and the application for sanction must be accompanied by a diagram of the proposed engine giving full particulars, and by a certificate by the Government inspector that the bridges on the section over which the engines are intended to work are of sufficient strength.

VIII. CARRIAGES AND WAGGONS

MAXIMUM MOVING DIMENSIONS. (*See also Diagram No. 1.*)—

Maximum width:—

	Ft.	In.
(73) From rail level to a height of 2 ft. 9 in. above rail level . . .	8	2
(74) From a height of 2 ft. 9 in. above rail level to a height of 10 feet above rail level . . .	8	6

N.B.—These heights are to be taken with the vehicle unloaded and buffer centres at the maximum height of 1 ft. 11 in. from rail level. For further details see Diagram No. 1.

Maximum height from rail level:—

(75) For unloaded vehicle at centre . . .	11	0
(76) For unloaded vehicle at sides . . .	10	0

Loading gauge for goods:—

(77) Maximum width . . .	8	8
(78) Maximum height from rail level at centre . . .	11	1
(79) Maximum height from rail level at sides . . .	10	1



MAXIMUM GROSS WEIGHT—

	TONS.
(80) On any pair of wheels	6
(81) Per foot run over buffers	8

N.B.—The weights given above are the maximum permissible under any circumstances, with the vehicle fully loaded. The weight on a pair of wheels includes the weight of the wheels, axles, axle-boxes, and springs.

WHEEL BASE—

	Ft.	In.
(82) Maximum rigid wheel base for passenger vehicles	12	0
(83) Maximum rigid wheel base for goods vehicles	10	0

BUFFERS AND COUPLINGS—

(84) Standard distance apart from centres of buffers	—
(85) Maximum height above rail level for centres of buffers for unloaded vehicles	1 11
(86) Minimum height above rail level for centres of buffers for fully loaded vehicles	1 9

HEIGHT FOR FLOORS—

(87) Maximum height above rail level for floor of any vehicle unloaded (with 2 ft. 4 in. wheels)	3	0
(88) Minimum height above rail level for floor of passenger vehicle fully loaded (with 2 ft. 0 in. wheels)	2	5½
(89) Minimum height above rail level for floor of goods vehicle fully loaded (with 2 ft. 0 in. wheels)	2	5

WHEELS AND AXLES—

(90) Standard wheel gauge, or distance apart for all wheel flanges	3	0½
(91) Standard diameter on the tread for new wheels	2	4
(92) Maximum projection for flange of worn tyre below rail level	0	1¼
(93) Minimum thickness on tread for tyres for passenger stock when worn	1	0



	Ft.	In.
(94) Minimum thickness on tread for tyres for goods stock when worn	0	0 $\frac{7}{8}$

ROOF LAMPS—

(95) Standard diameter inside in the clear for rings of carriage roof lamps	0	8 $\frac{1}{4}$
(96) Standard diameter for carriage roof lamps at level of ring	0	8

PROPOSED STANDARD DIMENSIONS
TO BE OBSERVED ON RAILWAYS IN INDIA

2 feet 6 inches Gauge

NOTE.—The maximum, minimum, and fixed dimensions and loads given in this schedule may not be infringed under any circumstances without the special sanction of the Government of India. Where it is proposed to execute any work or to procure bridge girders, station machinery, rolling stock, or other railway material which will infringe these dimensions or loads, the sanction of the Government of India is to be obtained before such work is commenced or order given.

I. FORMATION

SINGLE LINE—

Minimum width of formation—

(1)	In embankment	12	0
(2)	In cutting (<i>excluding side drains</i>) $\left\{ \begin{array}{l} \text{in earth} \\ \text{in rock} \end{array} \right.$	12	0
		11	0

DOUBLE LINE—

Minimum width of formation—

(3)	In embankment	23	0
(4)	In cutting (<i>excluding side drains</i>)	23	0
(5)	Standard distance centre to centre of tracks (out of stations)	12	0

CURVES—

Maximum angle of curvature—

- (6) In ordinary country $12^{\circ} 0'$
(rad. = $477\frac{1}{2}$ feet.)

N.B.—The angle of curvature is taken as the angle at the centre subtended by an arc of one hundred feet in length. Thus the radius for a one degree curve is 5729.578 feet.

The maximum angle of curvature should *only be worked to in special cases* where the adoption of an easier curve would be impracticable or involve considerable extra expense. Under very exceptional circumstances, where it may appear necessary that this rule should be relaxed, the matter should be referred to the Government of India for orders.

The maximum angles of curvature given above do not apply to curves in station yards.

II. BALLAST AND PERMANENT WAY

BALLAST—

- | | Ft. | In. |
|---|-----|-----|
| (1) Minimum width of ballast at rail level | 6 | 0 |
| (2) Minimum depth of ballast below sleepers | 0 | 6 |

N.B.—These minimum dimensions may be relaxed in the case of a line being opened to traffic before the banks have settled.

SLEEPERS—

Minimum dimensions for timber cross sleepers—

- | | | |
|---|------|---|
| (3) Length | 5 | 0 |
| (4) Breadth | 0 | 6 |
| (5) Depth | 0 | 4 |
| | No. | |
| (6) Minimum number of cross sleepers per mile | 1936 | |

N.B.—On bridges where the cross sleepers rest directly on longitudinal girders, the sleepers are to be spaced not more than 1 foot 6 inches apart, centre to centre.

RAILS—

- | | Ft. | In. |
|--|-----|----------------|
| (7) Maximum clearance of guard rail for points and crossings | 0 | $1\frac{5}{8}$ |
| (8) Minimum clearance of guard rail for points and crossings | 0 | $1\frac{1}{2}$ |



- (9) Minimum clearance of guard rail for curves and level crossings Ft. In.
O 1 $\frac{7}{8}$
N.B.—The *maximum* clearance for curves and level crossings will vary according to the radius of curve.
- (10) Minimum depth of space for wheel flange, from rail level O 1 $\frac{1}{4}$

III. FIXED STRUCTURES—IN STATIONS

PLATFORMS—

- (1) No platform walls; earth covered with cinders or gravel to be made up to rail level —

BUILDINGS—

- (2) Minimum horizontal distance of any building from centre of track at *passenger* platform 20 O
- (3) Minimum horizontal distance from centre of track to any structure in the vicinity of a *passenger* platform (but not on a platform), within a height of 10 feet from rail level 8 O
N.B.—This rule does not apply to point levers between tracks, to water cranes, or to loading gauges.
- (4) Minimum horizontal distance from centre of track to any structure not in the vicinity of a *passenger* platform, from platform level, if any, or from 1 foot above rail level if there be no platform, to a height of 9 feet 6 inches above rail level 7 O

N.B.—Under the last entry, coal or any material stacked by the side of any track is to be considered a structure in the sense in which the word is here used.

A projecting overhanging roof is permissible in the case of a goods shed on a siding, if such roof extends over the centre of the track at a height of not less than 12 feet above rail level.

PILLARS, LAMPS, ETC.—

- (5) Minimum horizontal distance from centre of track to pillars, columns, lamps, or similar isolated structures on platforms 9 O



ROOFS, OVER-BRIDGES, ETC.—

FT. IN

- | | | |
|---|----|---|
| (6) Minimum height above rail level, for 5 feet from centre of track, of tie-rods or under-side of any continuous roof or covering in <i>passenger</i> stations | 16 | 6 |
| (7) Minimum height above rail level for 5 feet from centre of track for passenger foot-bridges crossing the line in stations | 16 | 6 |
| (8) Minimum height above rail level for telegraph wires crossing the line, or above surface of road where carried over roads within the boundary of a station | 20 | 0 |

IV. FIXED STRUCTURES—OUT OF STATIONS

BUILDINGS, ETC.—

- (1) Minimum horizontal distance from centre of track to any structure, out of stations, from 1 foot above rail level to a height of 9 feet 6 inches above rail level. (*See Diagram No. 2*)
- 6 0

N.B.—Under this entry any material stacked by the side of the line is to be considered a structure in the sense in which the word is here used.

Where the line is on a curve the horizontal distance of a fixed structure from the centre of adjacent track is to be increased as follows :—

For a curve of 12 degrees ($477\frac{1}{2}$ ft. rad.) allow 8 in. extra

„ 8 „ (716 ft. rad.) „ $5\frac{1}{4}$ in. „

„ 4 „ (1432 ft. rad.) „ $2\frac{1}{4}$ in. „

„ 2 „ (2865 ft. rad.) „ $1\frac{1}{4}$ in. „

and for other curves in proportion.

OVER-BRIDGES, ETC.—

- | | | |
|---|----|---|
| (2) Minimum height above rail level for 5 feet from centre of track for over-bridges out of stations | 12 | 0 |
| (3) Minimum height above rail level for telegraph wires crossing the line, or above surface of road where carried over roads at level crossings | 20 | 0 |

N.B.—The minimum horizontal distance, from the

centre line of nearest track, at which a telegraph post may be erected, is the total height of the post plus seven feet. Also, where the line is in cutting, a telegraph post erected on the berm must be at a distance from the edge of the cutting of not less than the total height of the post.

TUNNELS—

V. STATION YARDS

	Ft.	In.
SPACING OF TRACKS—		
(1) Minimum distance of tracks centre to centre—		
Track nearest platform to next track .	14	0
All other tracks in station yards .	12	0

POINTS AND CROSSINGS—

(2) Minimum radius of curve .	175	0
(3) Standard crossings .	$\left\{ \begin{array}{l} 1 \text{ in } 6 \\ 1 \text{ in } 8\frac{1}{2} \end{array} \right.$	
(4) Standard length for tongue rails .	7	0
(5) Minimum horizontal distance from centre of track to point handle, indicator, or any part of point apparatus above rail level .	7	0

N.B.—A point handle may not, in any position, be within seven feet of the centre line of nearest track; a clear distance of seven feet is also to be preserved from centre of nearest track to any part of the point apparatus, fixed or movable, above rail level. An arrangement involving the placing of a point handle between tracks should be avoided as far as practicable; but where this arrangement is adopted, the point handle must work parallel with the rails, not at right angles thereto.

ACCOMMODATION—

(6) Minimum clear available length of through siding at any roadside station which may be used as a crossing station .	600	0
--	-----	---

N.B.—The “available length” of siding (whether the line be curved or straight) terminates where the distance between the centre line of the siding and the centre line of an adjacent track begins to be less than 10 feet.

The length of sidings may (with the sanction of the Government of India) be reduced to such an extent as may appear advisable. But for each such special case the sanction of Government is to be obtained to the proposals *before* work is commenced.

VI. STATION MACHINERY

WATER TANKS—

Minimum height for bottom of tank above rail level *at water column* :—

	Ft.	In.
(1) For watering engines	14	0
(2) For washing out engines	20	0
(3) Minimum distance from centre of track to face of tank house	9	0
	C. ft.	
(4) Minimum capacity of tank at any station	500	0

WATER CRANES—

	Ft.	In.
(5) Minimum distance in the clear from centre of track to nearest part of water column from 1 foot above rail level	6	0
(6) Standard height above rail level for discharge orifice of water crane jib	10	6
(7) Standard internal diameter for piping from tank to water crane	0	4

ASH-PITS, ETC.—

(8) Minimum clear length at bottom for ash-pits in station yards	15	0
(9) Standard average depth for ash-pits in station yards	3	0
(10) Standard depth for examining pits for carriages and waggons	3	0

ENGINE RUNNING SHEDS—

Minimum width for running sheds inside in the clear :—

(11) For two lines of rail	30	0
(12) For one line of rail	18	0
(13) Minimum distance centre to centre of tracks in running sheds	12	0

Running shed doorways :—

(14) Minimum width	9	0
(15) Minimum height, if flat at top	11	0
(16) Minimum height to crown of arch, if with semicircular arch	13	0



APPENDIX A

283

CSL

Ft. In.

- | | | |
|---|---|---|
| (17) Standard average depth for wash-out pits in running sheds | 3 | 0 |
| (18) Standard average depth for repairing pits in running sheds | 3 | 0 |

TURNABLES—

- | | | |
|---|----|---|
| (19) Minimum diameter for engine turntables | 15 | 0 |
| (20) Minimum diameter for carriage or waggon turntables | 12 | 0 |

TRAVERSERS—

- | | | |
|---|----|---|
| (21) Minimum length for carriage or waggon traversers | 12 | 0 |
|---|----|---|

WEIGH-BRIDGES—

- | | | |
|--|-------|----|
| (22) Minimum length for weigh-bridges for ordinary stock | 12 | 0 |
| (23) Minimum weighing power for weigh-bridges for ordinary stock | Tons. | 10 |

VII. LOCOMOTIVE ENGINES

MAXIMUM MOVING DIMENSIONS—

- (1) The maximum moving dimensions laid down for carriages and waggons apply also to locomotive engines

WEIGHT ON A PAIR OF WHEELS—

- | | |
|---|------|
| (2) Maximum under any circumstances | 6 |
| (3) Maximum per foot of diameter | 2.25 |

WEIGHT PER FOOT RUN OF WHEEL BASE—

- | | |
|---|-----|
| (4) Maximum for either engine or tender separately, in the case of tender engines | 1.5 |
| (5) Maximum for tank engines | 2 |

WEIGHT PER FOOT RUN OVER BUFFERS—

- | | |
|---|-------|
| (6) Maximum for engine and tender together, in the case of tender engines | 0.875 |
| (7) Maximum for tank engines | 1 |

TOTAL GROSS WEIGHT—

Tons.

- | | |
|---|----|
| (8) Maximum for engine and tender together, in the case of tender engines | 30 |
| (9) Maximum for tank engines | 18 |

N.B.—The weights given above are the maximum permissible under any circumstances with engine in working order and full load of fuel and water.

In exceptional cases, engines of weights in excess of the specification given above may be used under the special sanction of the Government of India. Such special sanction must be obtained *before* the engines are ordered, and the application for sanction must be accompanied by a diagram of the proposed engine giving full particulars, and by a certificate by the Government Inspector that the bridges on the section over which the engines are intended to work are of sufficient strength.

VIII. CARRIAGES AND WAGGONS

MAXIMUM MOVING DIMENSIONS—

Ft. In.

Maximum width :—

- | | |
|---|-----|
| (1) From rail level to a height of 2 feet 2 inches above rail level | 7 6 |
| (2) From a height of 2 feet 9 inches above rail level to a height of 10 feet above rail level | 8 0 |

N.B.—These heights are to be taken with the vehicle unloaded and buffer centres at the maximum height of 1 foot 11 inches from rail level. For further details see Diagram No. 1.

Maximum height from rail level :—

- | | |
|--|------|
| (3) For unloaded vehicle at centre | 10 0 |
| (4) For unloaded vehicle at sides | 9 3 |

Loading gauge for goods in open tracks :—

- | | |
|--|-----|
| (5) Maximum width | 8 2 |
| (6) Maximum height from rail level at centre | 8 3 |
| (7) Maximum height from rail level at sides | 7 3 |

MAXIMUM GROSS WEIGHT—

Tons.

- | | |
|---|-----|
| (8) On any pair of wheels | 4 |
| (9) Per foot run over buffers | 0.5 |

N.B.—The weights given above are the maximum permissible under any circumstances, with the vehicle fully loaded. The weight on a pair of wheels includes the weight of the wheels, axles, axle-boxes, and springs.

WHEEL BASE—		FT.	IN.
(10)	Maximum rigid wheel base for vehicles	9	0
BUFFERS AND COUPLINGS—			
(11)	Central buffers	—	
(12)	Maximum height above rail level for centres of buffers for unloaded vehicles	1	11
(13)	Minimum height above rail level for centres of buffers for fully loaded vehicles	1	9
HEIGHT FOR FLOORS—			
(14)	Maximum height above rail level for floor of any vehicle unloaded	2	5
(15)	Minimum height above rail level for floor of any vehicle fully loaded	2	3
WHEELS AND AXLES—			
(16)	Standard wheel gauge, or distance apart for all wheel flanges	2	3½
(17)	Standard diameter on the tread for new wheels	1	8
(18)	Maximum projection for flange of worn tyre below rail level	0	1
ROOF LAMPS—			
(19)	Standard diameter inside in the clear for rings of carriage roof lamps	0	8½
(20)	Standard diameter for carriage roof lamps at level of ring	0	8



CSL

APPENDIX B

THE INDIAN RAILWAY ACT

Reprinted from the Gazette of India, dated 22nd March 1890

GOVERNMENT OF INDIA, LEGISLATIVE DEPARTMENT

The following Act of the Governor-General of India in Council received the assent of his Excellency the Governor-General on the 21st March 1890, and is hereby promulgated for general information :—

ACT NO. IX. OF 1890

THE INDIAN RAILWAYS ACT, 1890

CONTENTS

CHAPTER I

PRELIMINARY

SECTS.

1. Title, extent and commencement.
2. Repeal.
3. Definitions.

CHAPTER II

INSPECTION OF RAILWAYS

4. Appointment and duties of Inspectors.
5. Powers of Inspectors.
6. Facilities to be afforded to Inspectors.



CHAPTER III

CONSTRUCTION AND MAINTENANCE OF WORKS

SECTS.

7. Authority of railway administrations to execute all necessary works.
8. Alteration of pipes, wires, and drains.
9. Temporary entry upon land for repairing or preventing accidents.
10. Payment of compensation for damage caused by lawful exercise of powers under section 7, 8, or 9.
11. Accommodation works.
12. Power for owner, occupier, or local authority to cause additional accommodation works to be made.
13. Fences, screens, gates, and bars.
14. Over and under bridges.
15. Removal of trees dangerous to or obstructing the working of a railway.

CHAPTER IV

OPENING OF RAILWAYS

16. Right to use locomotives.
17. Notice of intended opening of a railway.
18. Sanction of the Government a condition precedent to the opening of a railway.
19. Procedure in sanctioning the opening of a railway.
20. Application of the provisions of the three last foregoing sections to material alterations of a railway.
21. Exceptional provision.
22. Power to make rules with respect to the opening of railways.
23. Power to close an opened railway.
24. Reopening of a closed railway.
25. Delegation of powers under this Chapter to Inspectors.

CHAPTER V

RAILWAY COMMISSIONS AND TRAFFIC FACILITIES

Railway Commissions

SECTS.

26. Constitution of Railway Commission.
27. Restriction of jurisdiction of Railway Commission to cases specially referred.
28. Reference of cases to Railway Commission.
29. Constitution of Railway Commission in session.
30. Powers of Railway Commission.
31. Appeals from orders of Railway Commission.
32. Operation of orders of Railway Commission.
33. Assessors.
34. Power of the Governor-General in Council to make rules for the purposes of this Chapter.
35. Costs of proceedings under this Chapter.
36. Execution of order of Railway Commission and High Court.
37. Evidence of documents.
38. Submission to the Governor-General in Council of special reports by Railway Commission.
39. Dissolution of Railway Commission.
40. Finality of orders of Railway Commission subject to the foregoing provisions of this chapter.
41. Bar of jurisdiction of ordinary Courts in certain matters cognizable by Railway Commission.

Traffic Facilities

42. Duty of railway administrations to arrange for receiving and forwarding traffic without unreasonable delay and without partiality.
43. Undue preference in case of unequal rates for like traffic or services.
44. Provisions for facilities and equal treatment where ships or boats are used which are not part of a railway.
45. Terminals.
46. Power of Railway Commission to fix terminals.

CHAPTER VI

WORKING OF RAILWAYS

General

SECTS.

47. General rules.
48. Disposal of differences between railways regarding conduct of joint traffic.
49. Agreements with the Governor-General in Council for construction or lease of rolling-stock.
50. Powers of railway companies to enter into working agreements.
51. Establishment of ferries and roadways for accommodation of traffic.
52. Returns.

Carriage of Property

53. Maximum load for waggons.
54. Power for railway administrations to impose conditions for working traffic.
55. Lien for rates, terminals, and other charges.
56. Disposal of unclaimed things on a railway.
57. Power for railway administrations to require indemnity on delivery of goods in certain cases.
58. Requisitions for written accounts of description of goods.
59. Dangerous or offensive goods.
60. Exhibition to the public of authority for quoted rates.
61. Requisitions on railway administrations for details of gross charges.

Carriage of Passengers

62. Communication between passengers and railway servants in charge of trains.
63. Maximum number of passengers for each compartment.
64. Reservation of compartments for females.
65. Exhibition of time-tables and tables of fares at stations.
66. Supply of tickets on payment of fares.

SECTS.

67. Provision for case in which tickets have been issued for trains not having room available for additional passengers.
68. Prohibition against travelling without pass or ticket.
69. Exhibition and surrender of passes and tickets.
70. Return and season tickets.
71. Power to refuse to carry persons suffering from infectious or contagious disorder.

CHAPTER VII

RESPONSIBILITY OF RAILWAY ADMINISTRATIONS AS CARRIERS

72. Measure of the general responsibility of a railway administration as a carrier of animals and goods.
73. Further provision with respect to the liability of a railway administration as a carrier of animals.
74. Further provision with respect to the liability of a railway administration as a carrier of luggage.
75. Further provision with respect to the liability of a railway administration as a carrier of articles of special value.
76. Burden of proof in suits in respect of loss of animals or goods.
77. Notification of claims to refunds of over-charges and to compensation for losses.
78. Exoneration from responsibility in case of goods falsely described.
79. Settlement of compensation for injuries to officers, soldiers, and followers on duty.
80. Suits for compensation for injury to through-booked traffic.
81. Limitation of liability of railway administration in respect of traffic on inland waters by vessels not being part of railway.
82. Limitation of liability of railway administration in respect of accidents at sea.



CHAPTER VIII

ACCIDENTS

SECTS.

83. Report of railway accidents.
84. Power to make rules regarding notices of and inquiries into accidents.
85. Submission of return of accidents.
86. Provision for compulsory medical examination of persons injured in railway accidents.

CHAPTER IX

PENALTIES AND OFFENCES

Forfeitures by Railway Companies

87. Penalty for default in compliance with requisition under section 13.
88. Penalty for contravention of section 16, 18, 19, 20, 21, or 24.
89. Penalty for not having certain documents kept or exhibited at stations under section 47, 54, or 65.
90. Penalty for not making rules as required by section 47.
91. Penalty for failure to comply with decision under section 48.
92. Penalty for delay in submitting returns under section 52 or 85.
93. Penalty for neglect of provisions of section 53 or 63 with respect to carrying capacity of rolling-stock.
94. Penalty for failure to comply with requisition under section 62 for maintenance of means of communication between passengers and railway servants.
95. Penalty for failure to reserve compartments for females under section 64.
96. Penalty for omitting to give the notices of accidents required by section 83 and under section 84.
97. Recovery of penalties.
98. Alternative or supplementary character of remedies afforded by the foregoing provisions of this Chapter.

Offences by Railway Servants

SECTS.

99. Breach of duty imposed by section 60.
100. Drunkenness.
101. Endangering the safety of persons.
102. Compelling passengers to enter carriages already full.
103. Omission to give notice of accident.
104. Obstructing level crossings.
105. False returns.

Other Offences

106. Giving false account of goods.
107. Unlawfully bringing dangerous or offensive goods upon a railway.
108. Needlessly interfering with means of communication in a train.
109. Entering compartment reserved or already full, or resisting entry into a compartment not full.
110. Smoking.
111. Defacing public notices.
112. Fraudulently travelling or attempting to travel without a proper pass or ticket.
113. Travelling without pass or ticket, or with insufficient pass or ticket, or beyond authorised distance.
114. Transferring return half of return ticket.
115. Disposal of fines under the two last foregoing sections.
116. Altering or defacing pass or ticket.
117. Being or suffering person to travel on railway with infectious or contagious disorder.
118. Entering carriage in motion, or otherwise improperly travelling on a railway.
119. Entering carriage or other place reserved for females.
120. Drunkenness or nuisance on a railway.
121. Obstructing railway servant in his duty.
122. Trespass and refusal to desist from trespass.
123. Disobedience of omnibus drivers to directions of railway servants.
124. Opening or not properly shutting gates.

SECTS.

125. Cattle-trespass.
126. Maliciously wrecking or attempting to wreck a train.
127. Maliciously hurting or attempting to hurt persons travelling by railway.
128. Endangering safety of persons travelling by railway by wilful act or omission.
129. Endangering safety of persons travelling by railway by rash or negligent act or omission.
130. Special provision with respect to the commission by children of acts endangering safety of persons travelling by railway.

Procedure

131. Arrest for offences against certain sections.
132. Arrest of persons likely to abscond or unknown.
133. Magistrates having jurisdiction under Act.
134. Place of trial.

CHAPTER X

SUPPLEMENTAL PROVISIONS

135. Taxation of railways by local authorities.
136. Restriction on execution against railway property.
137. Railway servants to be public servants for the purposes of Chapter IX. of the Indian Penal Code.
138. Procedure for summary delivery to railway administration of property detained by a railway servant.
139. Mode of signifying communications from the Governor-General in Council.
140. Service of notices on railway administrations.
141. Service of notices by railway administrations.
142. Presumption where notice is served by post.
143. Provisions with respect to rules.
144. Delegation of powers of Governor-General in Council.
145. Representation of Managers and Agents of railways in Courts.
146. Power to extend Act to steam-tramways.



SECTS.

147. Power to exempt railways from Act.
148. Matters supplemental to the definitions of "railway" and "railway servant."
149. Amendment of the Indian Penal Code.
150. Amendment of the Sindh-Pishin Railway Act, 1887.

THE FIRST SCHEDULE.—ENACTMENTS REPEALED.

THE SECOND SCHEDULE.—ARTICLES TO BE DECLARED AND INSURED.

THE INDIAN RAILWAYS ACT, 1890.

An Act to consolidate, amend, and add to the Law relating to Railways in India.

WHEREAS it is expedient to consolidate, amend, and add to the law relating to railways in India : It is hereby enacted as follows :—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Indian Railways Act, 1890.
- (2) It extends to the whole of British India, inclusive of Upper Burma and (in so far as it has been or may be extended under the provisions of the Sindh-Pishin Railway Act, 1887) of British Baluchistan, and applies also to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty, and to all Native subjects of Her Majesty without and beyond British India and those dominions ; and
- (3) It shall come into force on the first day of May 1890.
2. (1) On and from that day the enactments specified in the first schedule are repealed to the extent mentioned in the third column thereof.
- (2) But all rules, declarations, and appointments made, sanctions and directions given, forms approved, powers conferred,

and notifications published under any of those enactments, or under any enactment repealed by any of them, shall, so far as they are consistent with this Act, be deemed to have been respectively made, given, approved, conferred, and published under this Act.

(3) Any enactment or document referring to any of those enactments, or to any enactment repealed by any of them, shall, so far as may be, be construed to refer to this Act or to the corresponding portion thereof.

3. In this Act, unless there is something repugnant in the subject or context,—

(1) “tramway” means a tramway constructed under the Indian Tramways Act, 1886, or any special Act relating to tramways :

(2) “ferry” includes a bridge of boats, pontoons, or rafts, a swing-bridge, a flying bridge, and a temporary bridge, and the approaches to, and landing-places of a ferry :

(3) “inland water” means any canal, river, lake, or navigable water in British India :

(4) “railway” means a railway, or any portion of a railway, for the public carriage of passengers, animals, or goods, and includes—

- (a) all land within the fences or other boundary-marks indicating the limits of the land appurtenant to a railway ;
- (b) all lines of rails, sidings, or branches worked over for the purposes of, or in connection with a railway ;
- (c) all stations, offices, warehouses, wharves, workshops, manufactories, fixed plant and machinery, and other works constructed for the purposes of, or in connection with a railway ; and
- (d) all ferries, ships, boats, and rafts which are used on inland waters for the purposes of the traffic of a railway, and belong to or are hired or worked by the authority administering the railway :

(5) “railway company” includes any persons, whether incorporated or not, who are owners or lessees of a railway, or parties to an agreement for working a railway :

(6) “railway administration” or “administration,” in the case

of a railway administered by the Government or a Native State, means the Manager of the railway, and includes the Government or the Native State, and, in the case of a railway administered by a railway company, means the railway company :

(7) "railway servant" means any person employed by a railway administration in connection with the service of a railway :

(8) "Inspector" means an Inspector of Railways appointed under this Act :

(9) "goods" includes inanimate things of every kind :

(10) "rolling-stock" includes locomotive engines, tenders, carriages, waggons, trucks, and trollies of all kinds :

(11) "traffic" includes rolling-stock of every description as well as passengers, animals, and goods :

(12) "through traffic" means traffic which is carried over the railways of two or more railway administrations :

(13) "rate" includes any fare, charge, or other payment for the carriage of any passenger, animal, or goods :

(14) "terminals" includes charges in respect of stations, sidings, wharves, depôts, warehouses, cranes, and other similar matters, and of any services rendered thereat :

(15) "pass" means an authority given by a railway administration, or by an officer appointed by a railway administration in this behalf, and authorising the person to whom it is given to travel as a passenger on a railway gratuitously :

(16) "ticket" includes a single ticket, a return ticket, and a season ticket :

(17) "maund" means a weight of three thousand two hundred tolas, each tola being a weight of one hundred and eighty grains Troy : and

(18) "Collector" means the chief officer in charge of the land-revenue administration of a district, and includes any officer specially appointed by the Local Government to discharge the functions of a Collector under this Act.

CHAPTER II

INSPECTION OF RAILWAYS

4. (1) The Governor-General in Council may appoint persons,

by name or by virtue of their office, to be Inspectors of Railways.

(2) The duties of an Inspector of Railways shall be—

- (a) to inspect railways with a view to determine whether they are fit to be opened for the public carriage of passengers, and to report thereon to the Governor-General in Council as required by this Act ;
- (b) to make such periodical or other inspections of any railway or of any rolling-stock used thereon as the Governor-General in Council may direct ;
- (c) to make inquiry under this Act into the cause of any accident on a railway ;
- (d) to perform such other duties as are imposed on him by this Act or any other enactment for the time being in force relating to railways.

5. An Inspector shall, for the purpose of any of the duties which he is required or authorised to perform under this Act, be deemed to be a public servant within the meaning of the Indian Penal Code, and, subject to the control of the Governor-General in Council, shall for that purpose have the following powers, namely :—

- (a) to enter upon and inspect any railway or any rolling-stock used thereon ;
- (b) by an order in writing under his hand addressed to the railway administration, to require the attendance before him of any railway servant, and to require answers or returns to such inquiries as he thinks fit to make from such railway servant or from the railway administration ;
- (c) to require the production of any book or document belonging to, or in the possession or control of any railway administration (except a communication between a railway company and its legal advisers) which it appears to him to be necessary to inspect.

6. A railway administration shall afford to the Inspector all reasonable facilities for performing the duties and exercising the powers imposed and conferred upon him by this Act.

CHAPTER III

CONSTRUCTION AND MAINTENANCE OF WORKS

7. (1) Subject to the provisions of this Act and, in the case of immovable property not belonging to the railway administration, to the provisions of any enactment for the time being in force for the acquisition of land for public purposes and for companies, and subject also, in the case of a railway company, to the provisions of any contract between the company and the Government, a railway administration may, for the purpose of constructing a railway, or the accommodation or other works connected therewith, and notwithstanding anything in any other enactment for the time being in force,—

- (a) make or construct in, upon, across, under, or over any lands, or any streets, hills, valleys, roads, railways, or tramways, or any rivers, canals, brooks, streams, or other waters, or any drains, water-pipes, gas-pipes, or telegraph lines, such temporary or permanent inclined planes, arches, tunnels, culverts, embankments, aqueducts, bridges, roads, ways, passages, conduits, drains, piers, cuttings, and fences as the railway administration thinks proper ;
- (b) alter the course of any rivers, brooks, streams, or water-courses, for the purpose of constructing and maintaining tunnels, bridges, passages, or other works over or under them, and divert or alter, as well temporarily as permanently, the course of any rivers, brooks, streams, or water-courses, or any roads, streets, or ways, or raise or sink the level thereof, in order the more conveniently to carry them over or under or by the side of the railway, as the railway administration thinks proper ;
- (c) make drains or conduits into, through, or under any lands adjoining the railway for the purpose of conveying water from or to the railway ;
- (d) erect and construct such houses, warehouses, offices, and other buildings, and such yards, stations, wharves

engines, machinery, apparatus, and other works and conveniences as the railway administration thinks proper ;

(e) alter, repair, or discontinue such buildings, works, and conveniences as aforesaid, or any of them, and substitute others in their stead ; and

(f) do all other acts necessary for making, maintaining, altering, or repairing and using the railway.

(2) The exercise of the powers conferred on a railway administration by sub-section (1) shall be subject to the control of the Governor-General in Council.

8. A railway administration may, for the purpose of exercising the powers conferred upon it by this Act, alter the position of any pipe for the supply of gas, water, or compressed air, or the position of any electric wire or of any drain not being a main drain :

(a) when the railway administration desires to alter the position of any such pipe, wire, or drain, it shall give reasonable notice of its intention to do so, and of the time at which it will begin to do so, to the local authority or company having control over the pipe, wire, or drain, or, when the pipe, wire, or drain is not under the control of a local authority or company, to the person under whose control the pipe, wire, or drain is ;

(b) a local authority, company, or person receiving notice under proviso (a), may send a person to superintend the work, and the railway administration shall execute the work to the reasonable satisfaction of the person so sent, and shall make arrangements for continuing during the execution of the work the supply of gas, water, compressed air, or electricity, or the maintenance of the drainage, as the case may be.

9. (1) The Governor-General in Council may authorise any railway administration, in case of any slip or other accident happening or being apprehended to any cutting, embankment, or other work under the control of the railway administration, to enter upon any lands adjoining its railway for the purpose of repairing or preventing the accident, and to do all such works as may be necessary for the purpose.

(2) In case of necessity the railway administration may enter

upon the lands and do the works aforesaid without having obtained the previous sanction of the Governor-General in Council, but in such a case shall, within seventy-two hours after such entry, make a report to the Governor-General in Council, specifying the nature of the accident or apprehended accident, and of the works necessary to be done, and the power conferred on the railway administration by this sub-section shall cease and determine if the Governor-General in Council, after considering the report, considers that the exercise of the power is not necessary for the public safety.

10. (1) A railway administration shall do as little damage as possible in the exercise of the powers conferred by any of the three last foregoing sections, and compensation shall be paid for any damage caused by the exercise thereof.

(2) A suit shall not lie to recover such compensation, but in case of dispute the amount thereof shall, on application to the Collector, be determined and paid in accordance, so far as may be, with the provisions of sections 11 to 15, both inclusive, and sections 18 to 42, both inclusive, of the Land-acquisition Act, 1870, and the provisions of sections 57 and 58 of that Act shall apply to the award of compensation.

11. (1) A railway administration shall make and maintain the following works for the accommodation of the owners and occupiers of lands adjoining the railway, namely :—

(a) such and so many convenient crossings, bridges, arches, culverts, and passages over, under, or by the sides of, or leading to or from the railway as may, in the opinion of the Governor-General in Council, be necessary for the purpose of making good any interruptions caused by the railway to the use of the lands through which the railway is made, and

(b) all necessary arches, tunnels, culverts, drains, water-courses, or other passages, over or under or by the sides of the railway, of such dimensions as will, in the opinion of the Governor-General in Council, be sufficient at all times to convey water as freely from or to the lands lying near or affected by the railway as before the making of the railway, or as nearly so as may be.

(2) Subject to the other provisions of this Act, the works



specified in clauses (a) and (b) of sub-section (1) shall be made during or immediately after the laying out or formation of the railway over the lands traversed thereby, and in such manner as to cause as little damage or inconvenience as possible to persons interested in the lands or affected by the works.

(3) The foregoing provisions of this section are subject to the following provisos, namely :—

(a) a railway administration shall not be required to make any accommodation works in such a manner as would prevent or obstruct the working or using of the railway, or to make any accommodation works with respect to which the owners and occupiers of the lands have agreed to receive and have been paid compensation in consideration of their not requiring the works to be made ;

(b) save as hereinafter in this Chapter provided, a railway administration shall not, except on the requisition of the Governor-General in Council, be compelled to defray the cost of executing any further or additional accommodation works for the use of the owners or occupiers of the lands after the expiration of ten years from the date on which the railway passing through the lands was first opened for public traffic ;

(c) where a railway administration has provided suitable accommodation for the crossing of a road or stream, and the road or stream is afterwards diverted by the act or neglect of the person having the control thereof, the administration shall not be compelled to provide other accommodation for the crossing of the road or stream.

(4) The Governor-General in Council may appoint a time for the commencement of any work to be executed under sub-section (1), and if for fourteen days next after that time the railway administration fails to commence the work, or, having commenced it, fails to proceed diligently to execute it in a sufficient manner, the Governor-General in Council may execute it and recover from the railway administration the cost incurred by him in the execution thereof.

12. If an owner or occupier of any land affected by a railway considers the works made under the last foregoing section to be insufficient for the commodious use of the land, or if the local Government or a local authority desires to construct a public road or other work across, under, or over a railway, he or it, as the case may be, may at any time require the railway administration to make at his or its expense such further accommodation works as he or it thinks necessary, and are agreed to by the railway administration, or as, in case of difference of opinion, may be authorised by the Governor-General in Council.

13. The Governor-General in Council may require that, within a time to be specified in the requisition, or within such further time as he may appoint in this behalf,—

- (a) boundary-marks or fences be provided or renewed by a railway administration for a railway, or any part thereof, and for roads constructed in connection therewith ;
- (b) any works in the nature of a screen near to or adjoining the side of any public road constructed before the making of a railway be provided or renewed by a railway administration, for the purpose of preventing danger to passengers on the road by reason of horses or other animals being frightened by the sight or noise of the rolling-stock moving on the railway ;
- (c) suitable gates, chains, bars, stiles, or hand-rails be erected or renewed by a railway administration at places where a railway crosses a public road on the level ;
- (d) persons be employed by a railway administration to open and shut such gates, chains, or bars.

14. (1) Where a railway administration has constructed a railway across a public road on the level, the Governor-General in Council may at any time, if it appears to him necessary for the public safety, require the railway administration, within such time as he thinks fit, to carry the road either under or over the railway by means of a bridge or arch, with convenient ascents and descents, and other convenient approaches, instead of crossing the road on the level, or to execute such other works as, in the circumstances of the case, may appear to the Governor-General



in Council to be best adapted for removing or diminishing the danger arising from the level-crossing.

(2) The Governor-General in Council may require, as a condition of making a requisition under sub-section (1), that the local authority, if any, which maintains the road shall undertake to pay the whole of the cost to the railway administration of complying with the requisition, or such portion of the cost as the Governor-General in Council thinks just.

15. (1) In either of the following cases, namely :—

(a) where there is danger that a tree standing near a railway may fall on the railway so as to obstruct traffic,

(b) when a tree obstructs the view of any fixed signal, the railway administration may, with the permission of any Magistrate, fell the tree, or deal with it in such other manner as will, in the opinion of the railway administration, avert the danger or remove the obstruction as the case may be.

(2) In case of emergency the power mentioned in sub-section (1) may be exercised by a railway administration without the permission of a Magistrate.

(3) Where a tree felled or otherwise dealt with under sub-section (1) or sub-section (2) was in existence before the railway was constructed or the signal was fixed, any Magistrate may, upon the application of the persons interested in the tree, award to those persons such compensation as he thinks reasonable.

(4) Such an award, subject, where made in a presidency-town by any Magistrate other than the Chief Presidency Magistrate, or where made elsewhere by any Magistrate other than the District Magistrate, to revision by the Chief Presidency Magistrate or the District Magistrate, as the case may be, shall be final.

(5) A Civil Court shall not entertain a suit to recover compensation for any tree felled or otherwise dealt with under this section.

CHAPTER IV

OPENING OF RAILWAYS

16. (1) A railway administration may, with the previous sanction of the Governor-General in Council, use upon a railway

locomotive engines or other motive power, and rolling-stock to be drawn or propelled thereby.

(2) But rolling-stock shall not be moved upon a railway by steam or other motive power until such general rules for the railway as may be deemed to be necessary have been made, sanctioned, and published under this Act.

17. (1) Subject to the provisions of sub-section (2), a railway administration shall, one month at least before it intends to open any railway for the public carriage of passengers, give to the Governor-General in Council notice in writing of its intention.

(2) The Governor-General in Council may in any case, if he thinks fit, reduce the period of, or dispense with the notice mentioned in sub-section (1).

18. A railway shall not be opened for the public carriage of passengers until the Governor-General in Council, or an Inspector empowered by the Governor-General in Council in this behalf, has by order sanctioned the opening thereof for that purpose.

19. (1) The sanction of the Governor-General in Council under the last foregoing section shall not be given until an Inspector has, after inspection of the railway, reported in writing to the Governor-General in Council—

- (a) that he has made a careful inspection of the railway and rolling-stock ;
- (b) that the moving and fixed dimensions prescribed by the Governor-General in Council has not been infringed ;
- (c) that the weight of rails, strength of bridges, general structural character of the works, and the size of and maximum gross load upon the axles of any rolling-stock, are such as have been prescribed by the Governor-General in Council ;
- (d) that the railway is sufficiently supplied with rolling-stock ;
- (e) that general rules for the working of the railway when opened for the public carriage of passengers have been made, sanctioned, and published under this Act ; and
- (f) that, in his opinion, the railway can be opened for the public carriage of passengers without danger to the public using it.

(2) If in the opinion of the Inspector the railway cannot be so opened without danger to the public using it, he shall state that opinion, together with the grounds therefor, to the Governor-General in Council, and the Governor-General in Council may thereupon order the railway administration to postpone the opening of the railway.

(3) An order under the last foregoing sub-section must set forth the requirements to be complied with as a condition precedent to the opening of the railway being sanctioned, and shall direct the postponement of the opening of the railway until those requirements have been complied with, or the Governor-General in Council is otherwise satisfied that the railway can be opened without danger to the public using it.

(4) The sanction given under this section may be either absolute, or subject to such conditions as the Governor-General in Council thinks necessary for the safety of the public.

(5) When sanction for the opening of a railway is given subject to conditions, and the railway administration fails to fulfil those conditions, the sanction shall be deemed to be void, and the railway shall not be worked or used until the conditions are fulfilled to the satisfaction of the Governor-General in Council.

20. (1) The provisions of sections 17, 18, and 19 with respect to the opening of a railway shall extend to the opening of the works mentioned in sub-section (2), when those works form part of, or are directly connected with a railway used for the public carriage of passengers, and have been constructed after the inspection which preceded the first opening of the railway.

(2) The works referred to in sub-section (1) are additional lines of railway, deviation lines, stations, junctions, and crossings on the level, and any alteration or reconstruction materially affecting the structural character of any work to which the provisions of sections 17, 18, and 19 apply or are extended by this section.

21. When an accident has occurred resulting in a temporary suspension of traffic, and either the original line and works have been rapidly restored to their original standard, or a temporary diversion has been laid for the purpose of restoring communication, the original line and works so restored, or the temporary diversion, as the case may be, may, in the absence of the Inspector,

be opened for the public carriage of passengers, subject to the following conditions, namely :—

(a) that the railway servant in charge of the works undertaken by reason of the accident has certified in writing that the opening of the restored line and works, or of the temporary diversion, will not in his opinion be attended with danger to the public using the line and works or the diversion ; and

(b) that notice by telegraph of the opening of the line and works or the diversion shall be sent, as soon as may be, to the Inspector appointed for the railway.

22. The Governor-General in Council may make rules defining the cases in which, and in those cases the extent to which, the procedure prescribed in sections 17 to 20 (both inclusive) may be dispensed with.

23. (1) When, after inspecting any open railway used for the public carriage of passengers, or any rolling-stock used thereon, an Inspector is of opinion that the use of the railway or of any specified rolling-stock will be attended with danger to the public using it, he shall state that opinion, together with the grounds therefor, to the Governor-General in Council ; and the Governor-General in Council may thereupon order that the railway be closed for the public carriage of passengers, or that the use of the rolling-stock so specified be discontinued, or that the railway or rolling-stock so specified be used for the public carriage of passengers on such conditions only as the Governor-General in Council may consider necessary for the safety of the public.

(2) An order under sub-section (1) must set forth the grounds on which it is founded.

24. (1) When a railway has been closed under the last foregoing section, it shall not be reopened for the public carriage of passengers until it has been inspected, and its reopening sanctioned, in accordance with the provisions of this Act.

(2) When the Governor-General in Council has ordered under the last foregoing section that the use of any specified rolling-stock be discontinued, that rolling-stock shall not be used until an Inspector has reported that it is fit for use, and the Governor-General in Council has sanctioned its use.



(3) When the Governor-General in Council has imposed under the last foregoing section any conditions with respect to the use of any railway or rolling-stock, those conditions shall be observed until they are withdrawn by the Governor-General in Council.

25. (1) The Governor-General in Council may, by general or special order, authorise the discharge of any of his functions under this Chapter by an Inspector, and may cancel any sanction or order given by an Inspector discharging any such function, or attach thereto any condition which the Governor-General in Council might have imposed if the sanction or order had been given by himself.

(2) A condition imposed under sub-section (1) shall for all the purposes of this Act have the same effect as if it were attached to a sanction or order given by the Governor-General in Council.

CHAPTER V

RAILWAY COMMISSIONS AND TRAFFIC FACILITIES

Railway Commissions

26. (1) For the purposes of this Chapter the Governor-General in Council shall, as occasion may in his opinion require, appoint a Commission, styled a Railway Commission (in this Act referred to as the Commissioners), and consisting of one Law Commissioner and two Lay Commissioners.

(2) The Commissioners shall sit at such times and in such places as the Governor-General in Council appoints.

(3) The Law Commissioner shall be such judge of the High Court having jurisdiction in reference to European British subjects under the Code of Criminal Procedure, 1882, in the place where the Commissioners are to sit as, in the case of a High Court established under the Statute 24 and 25 Victoria, chapter 104, the Chief Justice or, in the case of the Chief Court of the Punjab, the Senior Judge, or, in the case of the Court of the Recorder of Rangoon, the Chief Commissioner of Burma may, on the request of the Governor-General in Council, assign by writing under his hand.

(4) The Lay Commissioners shall be appointed by the Governor-General in Council, and one at least of them shall be of experience in railway business.

27. The Commissioners shall take cognizance of such cases only as are referred to them by the Governor-General in Council.

28. In any of the following circumstances, namely :—

- (a) where complaint is made to the Governor-General in Council of anything done or any omission made by a railway administration in violation or contravention of any provision of this chapter ;
- (b) where any difference which is under the provisions of any agreement required or authorised to be referred to arbitration arises between railway administrations, and the railway administrations apply to the Governor-General in Council to have it referred to the Commissioners ;
- (c) where any other difference, being a difference between railway administrations, or one to which a railway administration is a party, arises, and the parties thereto apply to the Governor-General in Council to have it referred to the Commissioners ;

the Governor-General in Council may, if he thinks fit, refer the case to the Commissioners for decision.

29. The three Commissioners shall attend at the hearing of any case referred to them for decision under this Chapter, and the Law Commissioner shall preside at the hearing.

30. (1) In hearing any such case the Commissioners shall have all the powers which may be exercised in the hearing of an original civil suit by a High Court.

(2) The decision shall, if the Commissioners differ in opinion, be in accordance with the opinion of the majority, and the final order in the case shall be by way of injunction and not otherwise.

(3) At the hearing the Commissioners may permit any party to appear before them either by himself or by any legal practitioner entitled to practise in any High Court.

31. (1) An appeal shall not lie from any order of the Commissioners upon any question of fact on which two of the Commissioners are agreed.

(2) Subject to the provisions of sub-section (1), an appeal shall lie from an order of the Commissioners—

- (a) where the Law Commissioner was the Recorder or



Additional Recorder of Rangoon, to the High Court of Judicature at Fort William in Bengal, and

(b) in any other case, to the High Court of which the Law Commissioner was a member.

(3) Such an appeal must be presented within six months from the date of the order appealed from, and shall be heard by a bench of as many judges, not being fewer than three, as the High Court may by rule prescribe.

(4) In the hearing of the appeal the High Court shall, subject to the other provisions of this Chapter, have all the powers which it has as an Appellate Court under the Code of Civil Procedure, and may make any order which the Commissioners could have made.

32. Notwithstanding any appeal to the High Court from an order of the Commissioners, the order shall, unless the Commissioners or the majority of them see fit to suspend it, continue in operation until it is reversed or varied by that Court.

33. (1) The Commissioners, in the exercise of their jurisdiction under this Chapter, may from time to time, with the general or special sanction of the Governor-General in Council, call in one or more persons of engineering or other technical knowledge to act as assessors.

(2) There shall be paid to such persons such remuneration as the Governor-General in Council upon the recommendation of the Commissioners may direct.

34. The Governor-General in Council may make rules regulating proceedings before the Commissioners, and enabling the Commissioners to carry into effect the provisions of this Chapter, and prescribing fees to be taken in relation to proceedings before the Commissioners.

35. The costs of and incidental to any proceedings before the Commissioners or the High Court under this Chapter shall be in the discretion of the Commissioners or the High Court, as the case may be, and the payment of costs awarded by the Commissioners may be enforced by the Court of which the Law Commissioner was a judge, as if the payment had been ordered by a decree of a High Court.

36. (1) The Court of which the Law Commissioner was a judge may, if it appears on the application of any person who

was a party to the proceedings before the Commissioners, or on appeal before the High Court, or of the representative of any such person, that an injunction made under this Chapter by the Commissioners or by a High Court has not been obeyed by the party enjoined, order such party to pay a sum not exceeding one thousand rupees for every day during which the injunction is disobeyed after the date of the order directing such payment.

(2) The payment of such sum may be enforced by the Court which made the order as if that Court had given a decree for the same, and the Court may direct that the whole or any part of the sum shall be paid to the person making the application under sub-section (1) or to the Government.

37. A document purporting to be signed by the Commissioners, or any of them, shall be received in evidence without proof of the signature, and shall, until the contrary is proved, be deemed to have been so signed, and to have been duly executed or issued by the Commissioners.

38. The Commissioners shall, as soon as may be after the disposal of each case referred to them, submit to the Governor-General in Council a special report on the case, and the Governor-General in Council shall cause the report to be published in such manner as he thinks fit for the information of persons interested in the subject-matter thereof.

39. Except for the purpose of the last foregoing section, a Railway Commission shall be deemed to be dissolved at the close of the last of the sittings of the Commissioners for the decision of the cases referred to them :—

Provided that, on the application of any person who was a party to the proceedings before the Commissioners, or of the representative of any such person, the Governor-General in Council may, if he thinks fit, in any case in which the order passed by the Commissioners is not open to appeal, reappoint the Commissioners for the purpose of hearing an application for a review of their decision, and of granting the same and rehearing the case if they think that the case should be reheard.

40. Subject to the foregoing provisions of this Chapter, and to any direction of Her Majesty in Council, an order of the

Commissioners shall be final, and shall not be questioned in or restrained by any Court.

41. Except as provided in this Act, no suit shall be instituted or proceedings taken for anything done or any omission made by a railway administration in violation or contravention of any provision of this Chapter, or of any order made thereunder by the Commissioners or by a High Court.

Traffic Facilities

42. (1) Every railway administration shall, according to its powers, afford all reasonable facilities for the receiving, forwarding, and delivering of traffic upon and from the several railways belonging to or worked by it and for the return of rolling-stock.

(2) A railway administration shall not make or give any undue or unreasonable preference or advantage to or in favour of any particular person or railway administration, or any particular description of traffic, in any respect whatsoever, or subject any particular person or railway administration, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

(3) A railway administration having or working railways which form part of a continuous line of railway communication, or having its terminus or station within one mile of the terminus or station of another railway administration, shall afford all due and reasonable facilities for receiving and forwarding by one of such railways all the traffic arriving by the other at such terminus or station without any unreasonable delay, and without any such preference or advantage or prejudice or disadvantage as aforesaid, and so that no obstruction may be offered to the public desirous of using such railways as a continuous line of communication, and so that all reasonable accommodation may by means of such railways be at all times afforded to the public in that behalf.

(4) The facilities to be afforded under this section shall include the due and reasonable receiving, forwarding, and delivering by every railway administration, at the request of any other railway administration, of through traffic to and from the railway of any other railway administration at through rates :—

Provided as follows :—

- (a) the railway administration requiring the traffic to be forwarded shall give written notice of the proposed through rate to each forwarding railway administration, stating both its amount and its apportionment, and the route by which the traffic is proposed to be forwarded. The proposed through rate for animals or goods may be per truck or per maund ;
- (b) each forwarding railway administration shall, within the prescribed period after the receipt of such notice, by written notice inform the railway administration requiring the traffic to be forwarded whether it agrees to the rate, apportionment, and route, and if it has any objection, what the grounds of the objection are ;
- (c) if at the expiration of the prescribed period no such objection has been sent by any forwarding railway administration, the rate shall come into operation at the expiration of that period ;
- (d) if an objection to the rate, apportionment, or route has been sent within the prescribed period, the Governor-General in Council may, if he thinks fit, on the request of any of the railway administrations, refer the case to the Commissioners for their decision ;
- (e) if the objection is to the granting of the rate or to the route, the Commissioners shall consider whether the granting of the rate is a due and reasonable facility in the interests of the public, and whether, regard being had to the circumstances, the route proposed is a reasonable route, and shall allow or refuse the rate accordingly, or fix such other rate as may seem to the Commissioners to be just and reasonable ;
- (f) if the objection is only to the apportionment of the rate, and the case has been referred to the Commissioners, the rate shall come into operation at the expiration of the prescribed period, but the decision of the Commissioners as to its apportionment shall be retrospective : in the case of any other objection the operation of the

rate shall be suspended until the Commissioners make their order in the case ;

- (g) the Commissioners in apportioning the through rate shall take into consideration all the circumstances of the case, including any special expense incurred in respect of the construction, maintenance, or working of the route, or any part of the route, as well as any special charges which any railway administration is entitled to make in respect thereof ;
- (h) the Commissioners shall not in any case compel any railway administration to accept lower mileage rates than the mileage rates which the administration may for the time being legally be charging for like traffic carried by a like mode of transit on any other line of communication between the same points, being the points of departure and arrival of the through route ;
- (i) subject to the foregoing provisions of this sub-section, the Commissioners shall have full power to decide that any proposed through rate is due and reasonable, notwithstanding that a less amount may be allotted to any forwarding railway administration out of the through rate than the maximum rate which the railway administration is entitled to charge, and to allow and apportion the through rate accordingly ;
- (j) the prescribed period mentioned in this sub-section shall be one month, or such longer period as the Governor-General in Council may by general or special order prescribe.

43. (1) Whenever it is shown that a railway administration charges one trader or class of traders, or the traders in any local area, lower rates for the same or similar animals or goods, or lower rates for the same or similar services, than it charges to other traders or classes of traders, or to the traders in another local area, the burden of proving that such lower charge does not amount to an undue preference shall lie on the railway administration.

(2) In deciding whether a lower charge does or does not amount to an undue preference, the Commissioners may, so far

as they think reasonable, in addition to any other considerations affecting the case, take into consideration whether such lower charge is necessary for the purpose of securing, in the interests of the public, the traffic in respect of which it is made.

44. Where a railway administration is a party to an agreement for procuring the traffic of the railway to be carried on any inland water by any ferry, ship, boat, or raft which does not belong to or is not hired or worked by the railway administration, the provisions of the two last foregoing sections applicable to a railway shall extend to the ferry, ship, boat, or raft in so far as it is used for the purposes of the traffic of the railway.

45. A railway administration may charge reasonable terminals.

46. (1) The Governor-General in Council may, if he thinks fit, refer to the Commissioners for decision any question or dispute which may arise with respect to the terminals charged by a railway administration, and the Commissioners may thereupon decide what is a reasonable sum to be paid to the railway administration in respect of terminals.

(2) In deciding the question or dispute the Commissioners shall have regard only to the expenditure reasonably necessary to provide the accommodation in respect of which the terminals are charged, irrespective of the outlay which may have been actually incurred by the railway administration in providing that accommodation.

CHAPTER VI

WORKING OF RAILWAYS

General

47. (1) Every railway company and, in the case of a railway administered by the Government, an officer to be appointed by the Governor-General in Council in this behalf, shall make general rules consistent with this Act for the following purposes, namely :—

(a) for regulating the mode in which and the speed at which rolling-stock used on the railway is to be moved or propelled ;

(b) for providing for the accommodation and convenience

of passengers and regulating the carriage of their luggage ;

- (c) for declaring what shall be deemed to be, for the purposes of this Act, dangerous or offensive goods, and for regulating the carriage of such goods ;
- (d) for regulating the conditions on which the railway administration will carry passengers suffering from infectious or contagious disorders, and providing for the disinfection of carriages which have been used by such passengers ;
- (e) for regulating the conduct of the railway servants ;
- (f) for regulating the terms and conditions on which the railway administration will warehouse or retain goods at any station on behalf of the consignee or owner ; and,
- (g) generally, for regulating the travelling upon, and the use, working, and management of the railway.

(2) The rules may provide that any person committing a breach of any of them shall be punished with fine which may extend to any sum not exceeding fifty rupees, and that, in the case of a rule made under clause (e) of sub-section (1), the railway servant shall forfeit a sum not exceeding one month's pay, which sum may be deducted by the railway administration from his pay.

(3) A rule made under this section shall not take effect until it has received the sanction of the Governor-General in Council, and been published in the *Gazette* of India.

Provided that, where the rule is in the terms of a rule which has already been published at length in the *Gazette* of India, a notification in that *Gazette* referring to the rule already published and announcing the adoption thereof shall be deemed a publication of a rule in the *Gazette* of India within the meaning of this sub-section.

(4) The Governor-General in Council may cancel any rule made under this section, and the authority required by sub-section (1) to make rules thereunder may at any time, with the previous sanction of the Governor-General in Council, rescind or vary any such rule.

(5) Every rule purporting to have been made for any railway under section 8 of the Indian Railway Act, 1879, and appearing from the *Gazette* of India to be intended to apply to the railway

at the commencement of this Act, shall, notwithstanding any irregularity in the making or publication of the rule, be deemed to have been made and to have taken effect under this section.

(6) Every railway administration shall keep at each station on its railway a copy of the general rules for the time being in force under this section on the railway, and shall allow any person to inspect it free of charge at all reasonable times.

48. Where two or more railway administrations, whose railways have a common terminus or a portion of the same line of rails in common, or form separate portions of one continued line of railway communication, are not able to agree upon arrangements for conducting at such common terminus, or at the point of junction between them, their joint traffic with safety to the public, the Governor-General in Council, upon the application of either or any of the administrations, may decide the matters in dispute between them, so far as those matters relate to the safety of the public, and may determine whether the whole or what proportion of the expenses attending on such arrangements shall be borne by either or any of the administrations respectively.

49. Any railway company, not being a company for which the Statute 42 and 43 Victoria, chapter 41, provides, may from time to time make and carry into effect agreements with the Governor-General in Council for the construction of rolling-stock, plant, or machinery used on or in connection with railways, or for leasing or taking on lease any rolling-stock, plant, machinery, or equipments required for use on a railway, or for the maintenance of rolling-stock.

50. Any railway company, not being a company for which the Statute 42 and 43 Victoria, chapter 41, provides, may from time to time make with the Governor-General in Council, and carry into effect, or, with the sanction of the Governor-General in Council, make with any other railway administration, and carry into effect, any agreement with respect to any of the following purposes, namely:—

(a) the working, use, management, and maintenance of any railway ;

(b) the supply of rolling-stock and machinery necessary for any of the purposes mentioned in clause (a), and of

officers and servants for the conduct of the traffic of the railway ;

- (c) the payments to be made and the conditions to be performed with respect to such working, use, management, and maintenance ;
- (d) the interchange, accommodation, and conveyance of traffic being on, coming from, or intended for the respective railways of the contracting parties, and the fixing, collecting, apportionment, and appropriation of the revenues arising from that traffic ;
- (e) generally, the giving effect to any such provisions or stipulations with respect to any of the purposes hereinbefore in this section mentioned as the contracting parties may think fit and mutually agree on :

Provided that the agreement shall not affect any of the rates which the railway administrations parties thereto are from time to time respectively authorised to demand and receive from any person, and that every person shall, notwithstanding the agreement, be entitled to the use and benefit of the railways of any railway administrations, parties to the agreement, on the same terms and conditions, and on payment of the same rates, as he would be if the agreement had not been entered into.

51. Any railway company, not being a company for which the Statute 42 and 43 Victoria, chapter 41, provides, may from time to time exercise with the sanction of the Governor-General in Council all or any of the following powers, namely :—

- (a) it may establish, for the accommodation of the traffic of its railway, any ferry equipped with machinery and plant of good quality and adequate in quantity to work the ferry ;
- (b) it may work for purposes other than the accommodation of the traffic of the railway any ferry established by it under this section ;
- (c) it may provide and maintain on any of its bridges roadways for foot-passengers, cattle, carriages, carts, or other traffic ;
- (d) it may construct and maintain roads for the accommodation of traffic passing to or from its railway ;

- (e) it may provide and maintain any means of transport which may be required for the reasonable convenience of passengers, animals, or goods carried or to be carried on its railway ;
- (f) it may charge tolls on the traffic using such ferries, roadways, roads, or means of transport as it may provide under this section, according to tariffs to be arranged from time to time with the sanction of the Governor-General in Council.

52. Every railway administration shall, in forms to be prescribed by the Governor-General in Council, prepare half-yearly, or at such intervals as the Governor-General in Council may prescribe, such returns of its capital and revenue transactions and of its traffic as the Governor-General in Council may require, and shall forward a copy of such returns to the Governor-General in Council at such times as he may direct.

Carriage of Property.

53. (1) Every railway administration shall determine the maximum load for every waggon or truck in its possession, and shall exhibit the words or figures representing the load so determined in a conspicuous manner on the outside of every such waggon or truck.

(2) Every person owning a waggon or truck which passes over a railway shall similarly determine and exhibit the maximum load for the waggon or truck.

(3) The gross weight of any such waggon or truck bearing on the axles when the waggon or truck is loaded to such maximum load shall not exceed such limit as may be fixed by the Governor-General in Council for the class of axle under the waggon or truck.

54. (1) Subject to the control of the Governor-General in Council, a railway administration may impose conditions, not inconsistent with this Act, or with any general rule thereunder, with respect to the receiving, forwarding, or delivering of any animals or goods.

(2) The railway administration shall keep at each station on its railway a copy of the conditions for the time being in force

under sub-section (1) at the station, and shall allow any person to inspect it free of charge at all reasonable times.

(3) A railway administration shall not be bound to carry any animal suffering from any infectious or contagious disorder.

55. (1) If a person fails to pay on demand made by or on behalf of a railway administration any rate, terminal, or other charge due from him in respect of any animals or goods, the railway administration may detain the whole or any of the animals or goods, or, if they have been removed from the railway, any other animals or goods of such person then being in or thereafter coming into its possession.

(2) When any animals or goods have been detained under sub-section (1), the railway administration may sell by public auction, in the case of perishable goods at once, and in the case of other goods or of animals, on the expiration of at least fifteen days' notice of the intended auction, published in one or more of the local newspapers, or where there are no such newspapers, in such manner as the Governor-General in Council may prescribe, sufficient of such animals or goods to produce a sum equal to the charge, and all expenses of such detention, notice, and sale, including, in the case of animals, the expenses of the feeding, watering, and tending thereof.

(3) Out of the proceeds of the sale the railway administration may retain a sum equal to the charge and the expenses aforesaid, rendering the surplus, if any, of the proceeds, and such of the animals or goods (if any) as remain unsold, to the person entitled thereto.

(4) If a person on whom a demand for any rate, terminal, or other charge due from him has been made, fails to remove from the railway within a reasonable time any animals or goods which have been detained under sub-section (1), or any animals or goods which have remained unsold after a sale under sub-section (2), the railway administration may sell the whole of them, and dispose of the proceeds of the sale as nearly as may be under the provisions of sub-section (3).

(5) Notwithstanding anything in the foregoing sub-sections, the railway administration may recover by suit any such rate, terminal, or other charge as aforesaid or balance thereof.



56. (1) When any animals or goods have come into the possession of a railway administration for carriage or otherwise, and are not claimed by the owner or other person appearing to the railway administration to be entitled thereto, the railway administration shall, if such owner or person is known, cause a notice to be served upon him requiring him to remove the animals or goods.

(2) If such owner or person is not known, or the notice cannot be served upon him, or he does not comply with the requisition in the notice, the railway administration may within a reasonable time, subject to the provisions of any other enactment for the time being in force, sell the animals or goods as nearly as may be under the provisions of the last foregoing section, rendering the surplus, if any, of the proceeds of the sale to any person entitled thereto.

57. Where any animals, goods, or sale-proceeds in the possession of a railway administration are claimed by two or more persons, or the ticket or receipt given for the animals or goods is not forthcoming, the railway administration may withhold delivery of the animals, goods, or sale-proceeds until the person entitled in its opinion to receive them has given an indemnity, to the satisfaction of the railway administration, against the claims of any other person with respect to the animals, goods, or sale-proceeds.

58. (1) The owner or person having charge of any goods which are brought upon a railway for the purpose of being carried thereon, and the consignee of any goods which have been carried on a railway, shall, on the request of any railway servant appointed in this behalf by the railway administration, deliver to such servant an account in writing signed by such owner or person, or by such consignee, as the case may be, and containing such a description of the goods as may be sufficient to determine the rate which the railway administration is entitled to charge in respect thereof.

(2) If such owner, person, or consignee refuses or neglects to give such an account, and refuses to open the parcel or package containing the goods in order that their description may be ascertained, the railway administration may (a) in respect of



goods which have been brought for the purpose of being carried on the railway, refuse to carry the goods unless in respect thereof a rate is paid not exceeding the highest rate which may be in force at the time on the railway for any class of goods, or (b) in respect of goods which have been carried on the railway, charge a rate not exceeding such highest rate.

(3) If an account delivered under sub-section (1) is materially false with respect to the description of any goods to which it purports to relate, and which have been carried on the railway, the railway administration may charge in respect of the carriage of the goods a rate not exceeding double the highest rate which may be in force at the time on the railway for any class of goods.

(4) If any difference arises between a railway servant and the owner or person having charge, or the consignee, of any goods which have been brought to be carried or have been carried on a railway, respecting the description of goods of which an account has been delivered under this section, the railway servant may detain and examine the goods.

(5) If it appears from the examination that the description of the goods is different from that stated in an account delivered under sub-section (1), the person who delivered the account, or if that person is not the owner of the goods, then that person and the owner jointly and severally, shall be liable to pay to the railway administration the cost of the detention and examination of the goods, and the railway administration shall be exonerated from all responsibility for any loss which may have been caused by the detention or examination thereof.

(6) If it appears that the description of the goods is not different from that stated in an account delivered under sub-section (1), the railway administration shall pay the cost of the detention and examination, and be responsible to the owner of the goods for any such loss as aforesaid.

59. (1) No person shall be entitled to take with him, or to require a railway administration to carry, any dangerous or offensive goods upon a railway.

(2) No person shall take any such goods with him upon a railway without giving notice of their nature to the station-master,

or other railway servant in charge of the place where he brings the goods upon the railway, or shall tender or deliver any such goods for carriage upon a railway without distinctly marking their nature on the outside of the package containing them, or otherwise giving notice in writing of their nature to the railway servant to whom he tenders or delivers them.

(3) Any railway servant may refuse to receive such goods for carriage, and, when such goods have been so received without such notice as is mentioned in sub-section (1) having to his knowledge been given, may refuse to carry them, or may stop their transit.

(4) If any railway servant has reason to believe any such goods to be contained in a package with respect to the contents whereof such notice as is mentioned in sub-section (2) has not to his knowledge been given, he may cause the package to be opened for the purpose of ascertaining its contents.

(5) Nothing in this section shall be construed to derogate from the Indian Explosives Act, 1884, or any rule under that Act, and nothing in sub-sections (1), (3), and (4) shall be construed to apply to any goods tendered or delivered for carriage by order or on behalf of the Government, or to any goods which an officer, soldier, sailor, or police-officer, or a person enrolled as a volunteer under the Indian Volunteers Act, 1869, may take with him upon a railway in the course of his employment or duty as such.

60. At every station at which a railway administration quotes a rate to any other station for the carriage of traffic other than passengers and their luggage, the railway servant appointed by the administration to quote the rate shall, at the request of any person, show to him at all reasonable times, and without payment of any fee, the rate-books or other documents in which the rate is authorised by the administration or administrations concerned.

61. (1) Where any charge is made by and paid to a railway administration in respect of the carriage of goods over its railway, the administration shall, on the application of the person by whom or on whose behalf the charge has been paid, render to the

applicant an account showing how much of the charge comes under each of the following heads, namely :—

- (a) the carriage of the goods on the railway ;
- (b) terminals ;
- (c) demurrage ; and
- (d) collection, delivery, and other expenses ; but without particularising the several items of which the charge under each head consists.

(2) The application under sub-section (1) must be in writing, and be made to the railway administration within one month after the date of the payment of the charge by or on behalf of the applicant, and the account must be rendered by the administration within two months after the receipt of the application.

Carriage of Passengers

62. The Governor-General in Council may require any railway administration to provide and maintain in proper order, in any train worked by it which carries passengers, such efficient means of communication between the passengers and the railway servants in charge of the train as the Governor-General in Council has approved.

63. Every railway administration shall fix, subject to the approval of the Governor-General in Council, the maximum number of passengers which may be carried in each compartment of every description of carriage, and shall exhibit the number so fixed in a conspicuous manner inside or outside each compartment, in English or in one or more of the vernacular languages in common use in the territory traversed by the railway, or both in English and in one or more of such vernacular languages, as the Governor-General in Council, after consultation with the railway administration, may determine.

64. (1) On and after the first day of January, 1891, every railway administration shall in every train carrying passengers reserve for the exclusive use of females one compartment at least of the lowest class of carriage forming part of the train.

(2) One such compartment so reserved shall, if the train is to run for a distance exceeding fifty miles, be provided with a closet.

65. Every railway administration shall cause to be posted in

a conspicuous and accessible place at every station on its railway, in English and in a vernacular language in common use in the territory where the station is situate, a copy of the time-tables for the time being in force on the railway, and lists of the fares chargeable for travelling from the station where the lists are posted to every place for which card-tickets are ordinarily issued to passengers at that station.

66. (1) Every person desirous of travelling on a railway shall, upon payment of his fare, be supplied with a ticket, specifying the class of carriage for which, and the place from and the place to which the fare has been paid, and the amount of the fare.

(2) The matters required by sub-section (1) to be specified on a ticket shall be set forth—

(a) if the class of carriage to be specified thereon is the lowest class, then in a vernacular language in common use in the territory traversed by the railway, and

(b) if the class of carriage to be so specified is any other than the lowest class, then in English.

67. (1) Fares shall be deemed to be accepted, and tickets to be issued, subject to the condition of there being room available in the train for which the tickets are issued.

(2) A person to whom a ticket has been issued and for whom there is not room available in the train for which the ticket was issued, shall on returning the ticket within three hours after the departure of the train be entitled to have his fare at once refunded.

(3) A person for whom there is not room available in the class of carriage for which he has purchased a ticket, and who is obliged to travel in a carriage of a lower class, shall be entitled on delivering up his ticket to a refund of the difference between the fare paid by him and the fare payable for the class of carriage in which he travelled.

68. No person shall, without the permission of a railway servant, enter any carriage on a railway for the purpose of travelling therein as a passenger unless he has with him a proper pass or ticket.

69. Every passenger by railway shall, on the requisition of any railway servant appointed by the railway administration in

this behalf, present his pass or ticket to the railway servant for examination, and at or near the end of the journey for which the pass or ticket was issued, or, in the case of a season pass or ticket, at the expiration of the period for which it is current, deliver up the pass or ticket to the railway servant.

70. A return ticket or season ticket shall not be transferable, and may be used only by the person for whose journey to and from the places specified thereon it was issued.

71. (1) A railway administration may refuse to carry, except in accordance with the conditions prescribed under section 47, sub-section (1), clause (d), a person suffering from any infectious or contagious disorder.

(2) A person suffering from such a disorder shall not enter or travel upon a railway without the special permission of the station-master or other railway servant in charge of the place where he enters upon the railway.

(3) A railway servant giving such permission as is mentioned in sub-section (2) must arrange for the separation of the person suffering from the disorder from other persons being or travelling upon the railway.

CHAPTER VII

RESPONSIBILITY OF RAILWAY ADMINISTRATIONS AS CARRIERS

72. (1) The responsibility of a railway administration for the loss, destruction, or deterioration of animals or goods delivered to the administration to be carried by railway shall, subject to the other provisions of this Act, be that of a bailee under sections 151, 152, and 161 of the Indian Contract Act, 1872.

(2) An agreement purporting to limit that responsibility shall, in so far as it purports to effect such limitation, be void unless it—

- (a) is in writing signed by or on behalf of the person sending or delivering to the railway administration the animals or goods, and
- (b) is otherwise in a form approved by the Governor-General in Council.

(3) Nothing in the common law of England or in the Carriers Act, 1865, regarding the responsibility of common carriers with respect to the carriage of animals or goods, shall affect the responsibility as in this section defined of a railway administration.

73. (1) The responsibility of a railway administration under the last foregoing section for the loss, destruction, or deterioration of animals delivered to the administration to be carried on a railway shall not in any case exceed, in the case of elephants or horses, five hundred rupees a head, or in the case of camels or horned cattle, fifty rupees a head, or in the case of sheep, goats, dogs, or other animals, ten rupees a head, unless the person sending or delivering them to the administration caused them to be declared, or declared them, at the time of their delivery for carriage by railway to be respectively of higher value than five hundred, fifty, or ten rupees a head, as the case may be.

(2) Where such higher value has been declared, the railway administration may charge, in respect of the increased risk, a percentage upon the excess of the value so declared over the respective sums aforesaid.

(3) In every proceeding against a railway administration for the recovery of compensation for the loss, destruction, or deterioration of any animal, the burden of proving the value of the animal and, where the animal has been injured, the extent of the injury shall lie upon the person claiming the compensation.

74. A railway administration shall not be responsible for the loss, destruction, or deterioration of any luggage belonging to or in charge of a passenger unless a railway servant has booked and given a receipt therefor.

75. (1) When any articles mentioned in the second schedule are contained in any parcel or package delivered to a railway administration for carriage by railway, and the value of such articles in the parcel or package exceeds one hundred rupees, the railway administration shall not be responsible for the loss, destruction, or deterioration of the parcel or package unless the person sending or delivering the parcel or package to the administration caused its value and contents to be declared, or declared them at the time of the delivery of the parcel or package for carriage by railway, and if so required by the administration, paid or engaged to

pay a percentage on the value so declared by way of compensation for increased risk.

(2) When any parcel or package of which the value has been declared under sub-section (1) has been lost or destroyed, or has deteriorated, the compensation recoverable in respect of such loss, destruction, or deterioration shall not exceed the value so declared, and the burden of proving the value so declared to have been the true value shall, notwithstanding anything in the declaration, lie on the person claiming the compensation.

(3) A railway administration may make it a condition of carrying a parcel declared to contain any article mentioned in the second schedule, that a railway servant authorised in this behalf has been satisfied by examination or otherwise that the parcel actually contains the article declared to be therein.

76. In any suit against a railway administration for compensation for loss, destruction, or deterioration of animals or goods delivered to a railway administration for carriage by railway, it shall not be necessary for the plaintiff to prove how the loss, destruction, or deterioration was caused.

77. A person shall not be entitled to a refund of an overcharge in respect of animals or goods carried by railway, or to compensation for the loss, destruction, or deterioration of animals or goods delivered to be so carried, unless his claim to the refund or compensation has been preferred in writing by him or on his behalf to the railway administration within six months from the date of the delivery of the animals or goods for carriage by railway.

78. Notwithstanding anything in the foregoing provisions of this Chapter, a railway administration shall not be responsible for the loss, destruction, or deterioration of any goods with respect to the description of which an account materially false has been delivered under sub-section (1) of section 58 if the loss, destruction, or deterioration is in any way brought about by the false account, nor in any case for an amount exceeding the value of the goods if such value were calculated in accordance with the description contained in the false account.

79. Where an officer, soldier, or follower, while being or travelling as such on duty upon a railway belonging to, and worked by the Government, loses his life or receives any personal

injury in such circumstances that if he were not an officer, soldier, or follower being or travelling as such on duty upon the railway, compensation would be payable under Act No. XIII. of 1855 or to him, as the case may be, the form and amount of the compensation to be made in respect of the loss of his life or his injury shall, where there is any provision in this behalf in the military regulations to which he was immediately before his death, or is subject, be determined in accordance with those regulations, and not otherwise.

80. Notwithstanding anything in any agreement purporting to limit the liability of a railway administration with respect to traffic while on the railway of another administration, a suit for compensation for loss of the life of, or personal injury to, a passenger, or for loss, destruction, or deterioration of animals or goods, where the passenger was or the animals or goods were booked through over the railways of two or more railway administrations, may be brought either against the railway administration from which the passenger obtained his pass or purchased his ticket, or to which the animals or goods were delivered by the consignor thereof, as the case may be, or against the railway administration on whose railway the loss, injury, destruction, or deterioration occurred.

81. Where a railway administration under contract to carry animals or goods by any inland water procures the same to be carried in a vessel which is not a railway as defined in this Act, the responsibility of the railway administration for the loss, destruction, or deterioration of the animals or goods during their carriage in the vessel shall be the same as if the vessel were such a railway.

82. (1) When a railway administration contracts to carry passengers, animals, or goods partly by railway and partly by sea, a condition exempting the railway administration from responsibility for any loss of life, personal injury, or loss of or damage to animals or goods, which may happen during the carriage by sea from the act of God, the King's enemies, fire, accidents from machinery, boilers and steam, and all and every other dangers and accidents of the seas, rivers, and navigation of whatever nature and kind soever, shall, without being expressed, be deemed to be part

of the contract, and, subject to that condition, the railway administration shall, irrespective of the nationality or ownership of the ship used for the carriage by sea, be responsible for any loss of life, personal injury, or loss of or damage to animals or goods which may happen during the carriage by sea, to the extent to which it would be responsible under the Merchant Shipping Act, 1854, and the Merchant Shipping Act Amendment Act, 1862, if the ship were registered under the former of those Acts, and the railway administration were owner of the ship, and not to any greater extent.

(2) The burden of proving that any such loss, injury, or damage as is mentioned in sub-section (1) happened during the carriage by sea shall lie on the railway administration.

CHAPTER VIII

ACCIDENTS

83. When any of the following accidents occurs in the course of working a railway, namely :—

- (a) any accident attended with loss of human life, or with grievous hurt as defined in the Indian Penal Code, or with serious injury to property ;
- (b) any collision between trains of which one is a train carrying passengers ;
- (c) the derailment of any train carrying passengers, or of any part of such a train ;
- (d) any accident of a description usually attended with loss of human life, or with such grievous hurt as aforesaid, or with serious injury to property ;
- (e) any accident of any other description which the Governor-General in Council may notify in this behalf in the *Gazette of India* ;

the railway administration working the railway and, if the accident happens to a train belonging to any other railway administration, the other railway administration also shall, without unnecessary delay, send notice of the accident to the local Government and

RAILWAY POLICY IN INDIA

CSL

to the Inspector appointed for the railway; and the station-master nearest to the place at which the accident occurred or, where there is no station-master, the railway servant in charge of the section of the railway on which the accident occurred shall, without unnecessary delay, give notice of the accident to the Magistrate of the district in which the accident occurred, and to the officer in charge of the police-station within the local limits of which it occurred, or to such other Magistrate and police-officer as the Governor-General in Council appoints in this behalf.

84. The Governor-General in Council may make rules, consistent with this Act and any other enactment for the time being in force, for all or any of the following purposes, namely:—

- (a) for prescribing the forms of the notices mentioned in the last foregoing section and the particulars of the accident which those notices are to contain;
- (b) for prescribing the class of accidents of which notice is to be sent by telegraph immediately after the accident has occurred;
- (c) for prescribing the duties of railway servants, police-officers, Inspectors, and Magistrates on the occurrence of an accident.

85. Every railway administration shall send to the Governor-General in Council a return of accidents occurring upon its railway, whether attended with personal injury or not, in such form and manner and at such intervals of time as the Governor-General in Council directs.

86. Whenever any person injured by an accident on a railway claims compensation on account of the injury, any Court or person having by law or consent of parties authority to determine the claim may order that the person injured be examined by some duly qualified medical practitioner named in the order, and not being a witness on either side, and may make such order with respect to the costs of the examination as it or he thinks fit.

CHAPTER IX

PENALTIES AND OFFENCES

Forfeitures by Railway Companies

87. If a railway company fails to comply with any requisition made under section 13, it shall forfeit to the Government the sum of two hundred rupees for the default, and a further sum of fifty rupees for every day after the first during which the default continues.

88. If a railway company moves any rolling-stock upon a railway by steam or other motive power in contravention of section 16, sub-section (2), or opens or uses any railway or work in contravention of section 18, section 19, section 20, or section 21, or re-opens any railway or uses any rolling-stock in contravention of section 24, it shall forfeit to the Government the sum of two hundred rupees for every day during which the motive power, railway, work, or rolling-stock is used in contravention of any of those sections.

89. If a railway company fails to comply with the provisions of section 47, sub-section (6), section 54, sub-section (2), or section 65, with respect to the books or other documents to be kept open to inspection or conspicuously posted at stations on its railway, it shall forfeit to the Government the sum of fifty rupees for every day during which the default continues.

90. If a railway company fails to comply with the provisions of section 47 with respect to the making of general rules, it shall forfeit to the Government the sum of fifty rupees for every day during which the default continues.

91. If a railway company refuses or neglects to comply with any decision of the Governor-General in Council under section 48, it shall forfeit to the Government the sum of two hundred rupees for every day during which the refusal or neglect continues.

92. If a railway company fails to comply with the provisions of section 52, or section 85 with respect to the submission of any return, it shall forfeit to the Government the sum of fifty rupees for every day during which the default continues after the

fourteenth day from the date prescribed for the submission of the return.

93. If a railway company contravenes the provisions of section 53 or section 63, with respect to the maximum load to be carried in any waggon or truck, or the maximum number of passengers to be carried in any compartment, or the exhibition of such load on the waggon or truck, or of such number in or on the compartment, or knowingly suffers any person owning a waggon or truck passing over its railway to contravene the provisions of the former of those sections, it shall forfeit to the Government the sum of twenty rupees for every day during which either section is contravened.

94. If a railway company fails to comply with any requisition of the Governor-General in Council under section 62 for the provision and maintenance in proper order, in any train worked by it which carries passengers, of such efficient means of communication as the Governor-General in Council has approved, it shall forfeit to the Government the sum of twenty rupees for each train run in disregard of the requisition.

95. If a railway company fails to comply with the requirements of section 64 with respect to the reservation of compartments for females, or the provision of closets therein, it shall forfeit to the Government the sum of twenty rupees for every train in respect of which the default occurs.

96. If a railway company omits to give such notice of an accident as is required by section 83 and the rules for the time being in force under section 84, it shall forfeit to the Government the sum of one hundred rupees for every day during which the omission continues.

97. (1) When a railway company has, through any act or omission, forfeited any sum to the Government under the foregoing provisions of this Chapter, the sum shall be recoverable by suit in the District Court having jurisdiction in the place where the act or omission or any part thereof occurred.

(2) The suit must be instituted with the previous sanction of the Governor-General in Council, and the plaintiff therein shall be the Secretary of State for India in Council.

(3) The Governor-General in Council may remit the whole or

any part of any sum forfeited by the railway company to the Government under the foregoing provisions of this Chapter.

98. Nothing in those provisions shall be construed to preclude the Government from resorting to any other mode of proceeding instead of, or in addition to, such a suit as is mentioned in the last foregoing section, for the purpose of compelling a railway company to discharge any obligation imposed upon it by this Act.

Offences by Railway Servants

99. If a railway servant whose duty it is to comply with the provisions of section 60 negligently or wilfully omits to comply therewith, he shall be punished with fine which may extend to twenty rupees.

100. If a railway servant is in a state of intoxication while on duty, he shall be punished with fine which may extend to fifty rupees, or where the improper performance of the duty would be likely to endanger the safety of any person travelling or being upon a railway, with imprisonment for a term which may extend to one year, or with fine, or with both.

101. If a railway servant, when on duty, endangers the safety of any person—

(a) by disobeying any general rule made, sanctioned, published, and notified under this Act; or

(b) by disobeying any rule or order which is not inconsistent with any such general rule, and which such servant was bound by the terms of his employment to obey, and of which he had notice; or

(c) by any rash or negligent act or omission, he shall be punished with imprisonment for a term which may extend to two years, or with fine which may extend to five hundred rupees, or with both.

102. If a railway servant compels, or attempts to compel, or causes any passenger to enter a compartment which already contains the maximum number of passengers exhibited therein or thereon under section 63, he shall be punished with fine which may extend to twenty rupees.

103. If a station-master or a railway servant in charge of a section of a railway omits to give such notice of an accident as

RAILWAY POLICY IN INDIA

334

is required by section 83, and the rules for the time being in force under section 84, he shall be punished with fine which may extend to fifty rupees.

104. If a railway servant unnecessarily—

(a) allows any rolling-stock to stand across a place where the railway crosses a public road on the level; or

(b) keeps a level-crossing closed against the public,

he shall be punished with fine which may extend to twenty rupees.

105. If any return which is required by this Act is false in any particular to the knowledge of any person who signs it, that person shall be punished with fine which may extend to five hundred rupees, or with imprisonment which may extend to one year, or with both.

Other Offences

106. If a person requested under section 28 to give an account with respect to any goods gives an account which is materially false, he, and if he is not the owner of the goods, the owner also shall be punished with fine, which may extend to ten rupees for every maund or part of a maund of the goods, and the fine shall be in addition to any rate or other charge to which the goods may be liable.

107. If in contravention of section 59 a person takes with him any dangerous or offensive goods upon a railway, or tenders or delivers any such goods for carriage upon a railway, he shall be punished with fine which may extend to five hundred rupees, and shall also be responsible for any loss, injury, or damage which may be caused by reason of such goods having been so brought upon the railway.

108. If a passenger, without reasonable and sufficient cause, makes use of, or interferes with, any means provided by a railway administration for communication between passengers and the railway servants in charge of a train, he shall be punished with fine which may extend to fifty rupees.

109. (1) If a passenger, having entered a compartment which is reserved by a railway administration for the use of another passenger, or which already contains the maximum

number of passengers exhibited therein or thereon under section 63, refuses to leave it when required to do so by any railway servant, he shall be punished with fine which may extend to twenty rupees.

(2) If a passenger resists the lawful entry of another passenger into a compartment not reserved by the railway administration for the use of the passenger resisting, or not already containing the maximum number of passengers exhibited therein or thereon under section 63, he shall be punished with fine which may extend to twenty rupees.

110. (1) If a person, without the consent of his fellow-passengers, if any, in the same compartment, smokes in any compartment except a compartment specially provided for the purpose, he shall be punished with fine which may extend to twenty rupees.

(2) If any person persists in so smoking after being warned by any railway servant to desist, he may, in addition to incurring the liability mentioned in sub-section (1), be removed by any railway servant from the carriage in which he is travelling.

111. If a person, without authority in this behalf, pulls down or wilfully injures any board or document set up or posted by order of a railway administration on a railway, or any rolling-stock, or obliterates or alters any of the letters or figures upon any such board or document, he shall be punished with fine which may extend to fifty rupees.

112. If a person, with intent to defraud a railway administration,—

(a) enters in contravention of section 68 any carriage on a railway; or

(b) uses or attempts to use a single pass or single ticket which has already been used on a previous journey, or, in the case of a return-ticket, a half thereof which has already been so used;

he shall be punished with fine which may extend to one hundred rupees in addition to the amount of the single fare for any distance which he may have travelled.

113. (1) If a passenger travels in a train without having a proper pass or a proper ticket with him, or, 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, he shall be liable to pay, on the demand of any railway servant appointed by the railway administration in this behalf, the excess charge hereinafter in this section mentioned, 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, or if the tickets of passengers travelling in the train have been examined since the original starting of the train, the ordinary single fare from the place where the tickets were examined, or in case of their having been examined more than once, were last examined.

(2) If a passenger travels or attempts to travel in or on a carriage, or by a train, of a higher class than that for which he has obtained a pass or purchased a ticket, or travels in or on a carriage beyond the place authorised by his pass or ticket, he shall be liable to pay, on the demand of any railway servant appointed by the railway administration in this behalf, the excess charge hereinafter in this section mentioned, in addition to any difference between any fare paid by him and the fare payable in respect of such journey as he has made.

(3) The excess charge referred to in sub-section (1) and sub-section (2) shall,—

- (a) where the passenger has, immediately after incurring the charge, and before being detected by a railway servant, notified to the railway servant on duty with the train the fact of the charge having been incurred, be one rupee, two annas or eight annas ; and
- (b) in any other case, be six rupees, one rupee, or three rupees,

according as the passenger is travelling, or has travelled, or has attempted to travel in a carriage of the highest class, or in a carriage of the lowest class, or in a carriage of any other class or kind :

Provided that such excess charge shall in no case exceed,—

- (a) where the liability to pay it arises under sub-section (1), the amount of the ordinary single fare which the

passenger incurring the charge is liable to pay under that sub-section ; or

- (b) where such liability arises under sub-section (2), the amount of the difference between the fare paid by the passenger incurring the charge, and the fare payable in respect of such journey as he has made.

(4) If a 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 demand being made therefor, under one or other of those sub-sections, as the case may be, the sum payable by him shall, on application made to any Magistrate by any railway servant appointed by the railway administration in this behalf, be recovered by the Magistrate from the passenger as if it were a fine imposed on the passenger by the Magistrate, and shall, as it is recovered, be paid to the railway administration.

114. If a person sells, or attempts to sell, or parts or attempts to part with the possession of the return 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 fifty rupees, 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 return journey authorised by the ticket.

115. That portion of any fine imposed under section 112, or the last foregoing section, which represents the single fare therein mentioned shall, as the fine is recovered, be paid to the railway administration before any portion of the fine is credited to the Government.

116. If a passenger wilfully 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 fifty rupees.

117. (1) If a person suffering from an infectious or contagious disorder enters or travels upon a railway in contravention of section 71, sub-section (2), he and any person having charge of him upon the railway when he so entered or travelled thereon,

shall be punished with fine which may extend to twenty rupees, in addition to the forfeiture of any fare which either of them may have paid, and of any pass or ticket which either of them may have obtained or purchased, and may be removed from the railway by any railway servant.

(2) If any such railway servant as is referred to in section 71, sub-section (2), knowing that a person is suffering from any infectious or contagious disorder, wilfully permits the person to travel upon a railway without arranging for his separation from other passengers, he shall be punished with fine which may extend to one hundred rupees.

118. (1) If a passenger enters or leaves, or attempts to enter or leave, any carriage while the train is in motion, or elsewhere than at the side of the carriage adjoining the platform or other place appointed by the railway administration for passengers to enter or leave the carriage, or opens the side-door of any carriage while the train is in motion, he shall be punished with fine which may extend to twenty rupees.

(2) If a passenger, after being warned by a railway servant to desist, persists in travelling on the roof, steps, or footboard of any carriage, or on an engine, or in any other part of a train not intended for the use of passengers, he shall be punished with fine which may extend to fifty rupees, and may be removed from the railway by any railway servant.

119. If a male person, knowing a carriage, compartment, room, or other place to be reserved by a railway administration for the exclusive use of females, enters the place without lawful excuse, or having entered it, remains therein after having been desired by any railway servant to leave it, he shall be punished with fine which may extend to one hundred rupees, in addition to the forfeiture of any fare which he may have paid, and of any pass or ticket which he may have obtained or purchased, and may be removed from the railway by any railway servant.

120. If a person in any railway carriage or upon any part of a railway—

(a) is in a state of intoxication ; or

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

(c) wilfully and without lawful excuse interferes with the comfort of any passenger, or extinguishes any lamp, he shall be punished with fine which may extend to fifty rupees, in addition to the forfeiture of any fare which he may have paid, and of any pass or ticket which he may have obtained or purchased, and may be removed from the railway by any railway servant.

121. If a person wilfully obstructs or impedes any railway servant in the discharge of his duty, he shall be punished with fine which may extend to one hundred rupees.

122. (1) If a person unlawfully enters upon a railway, he shall be punished with fine which may extend to twenty rupees.

(2) If a person so entering refuses to leave the railway on being requested to do so by any railway servant, or by any other person on behalf of the railway administration, he shall be punished with fine which may extend to fifty rupees, and may be removed from the railway by such servant or other person.

123. If a driver or conductor of a tramcar, omnibus, carriage, or other vehicle while upon the premises of a railway disobeys the reasonable directions of any railway servant or police-officer, he shall be punished with fine which may extend to twenty rupees.

124. In either of the following cases, namely :—

(a) if a person, knowing or having reason to believe that an engine or train is approaching along a railway, opens any gate set up on either side of the railway across a road, or passes or attempts to pass, or drives or takes, or attempts to drive or take, any animal, vehicle, or other thing across the railway,

(b) if, in the absence of a gate-keeper, a person omits to shut and fasten such a gate as aforesaid as soon as he and any animal, vehicle, or other thing under his charge have passed through the gate,

the person shall be punished with fine which may extend to fifty rupees.

125. (1) The owner or person in charge of any cattle straying on a railway provided with fences suitable for the exclusion of cattle shall be punished with fine which may extend to five rupees for each head of cattle, in addition to any amount which may have

been recovered or may be recoverable under the Cattle-trespass Act, 1871.

(2) If any cattle are wilfully driven, or knowingly permitted to be, on any railway otherwise than for the purpose of lawfully crossing the railway, or for any other lawful purpose, the person in charge of the cattle, or, at the option of the railway administration, the owner of the cattle, shall be punished with fine which may extend to ten rupees for each head of cattle, in addition to any amount which may have been recovered or may be recoverable under the Cattle-trespass Act, 1871.

(3) Any fine imposed under this section may, if the Court so directs, be recovered in manner provided by section 25 of the Cattle-trespass Act, 1871.

(4) The expression "public road" in sections 11 and 26 of the Cattle-trespass Act, 1871, shall be deemed to include a railway, and any railway servant may exercise the powers conferred on officers of police by the former of those sections.

(5) The word "cattle" has the same meaning in this section as in the Cattle-trespass Act, 1871.

126. If a person unlawfully—

- (a) puts or throws upon or across any railway any wood, stone, or other matter or thing, or
- (b) takes up, removes, loosens, or displaces any rail, sleeper, or other matter or thing belonging to any railway, or
- (c) turns, moves, unlocks, or diverts any points or other machinery belonging to any railway, or
- (d) makes or shows, or hides or removes, any signal or light upon or near to any railway, or
- (e) does or causes to be done, or attempts to do any other act or thing in relation to any railway,

with intent, or with knowledge that he is likely to endanger the safety of any person travelling or being upon the railway, he shall be punished with transportation for life, or with imprisonment for a term which may extend to ten years.

127. If a 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 he 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 punished with transportation for life, or with imprisonment for a term which may extend to ten years.

128. If a person, by any unlawful act or by any wilful omission or neglect, endangers or causes to be endangered the safety of any person travelling or being upon any railway, or obstructs or causes to be obstructed, or attempts to obstruct any rolling-stock upon any railway, he shall be punished with imprisonment for a term which may extend to two years.

129. If a person rashly or negligently 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 a railway, he shall be punished with imprisonment for a term which may extend to one year, or with fine, or with both.

130. (1) If a minor under the age of twelve years is with respect to any railway guilty of any of the acts or omissions mentioned or referred to in any of the four last foregoing sections, he shall be deemed, notwithstanding anything in section 82 or section 83 of the Indian Penal Code, to have committed an offence, and the Court convicting him may, if it thinks fit, direct that the minor, if a male, shall be punished with whipping, or may require the father or guardian of the minor to execute, within such time as the Court may fix, a bond binding himself, in such penalty as the Court directs, to prevent the minor from being again guilty of any of those acts or omissions.

(2) The amount of the bond, if forfeited, shall be recoverable by the Court as if it were a fine imposed by itself.

(3) If a father or guardian fails to execute a bond under sub-section (1) within the time fixed by the Court, he shall be punished with fine which may extend to fifty rupees.

Procedure.

131. (1) If a person commits any offence mentioned in sections 100, 101, 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.

(2) A person so arrested shall, with the least possible delay, be taken before a Magistrate having authority to try him or commit him for trial.

132. (1) If a person commits any offence under this Act other than an offence mentioned in the last foregoing section, or fails or refuses to pay any excess charge or other sum demanded under section 113, and there is reason to believe that he will abscond, or his name and address are unknown, and he refuses on demand to give his name or address, or there is reason to believe that the name and address given by him is incorrect, 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, or, if his true name and address are ascertained, on his executing a bond without sureties for his appearance before a Magistrate when required.

(3) If the person cannot give bail, and his true name and address are not ascertained, he shall with the least possible delay be taken before the nearest Magistrate having jurisdiction.

(4) The provisions of Chapters XXXIX. and XLII. of the Code of Criminal Procedure, 1882, shall, so far as may be, apply to bail given and bonds executed under this section.

133. No Magistrate other than a Presidency Magistrate, or than a Magistrate whose powers are not less than those of a Magistrate of the second class, shall try any offence under this Act.

134. (1) Any person committing any offence against this Act, or any rule thereunder, shall be triable for such offence in any place in which he may be, or which the local Government may notify in this behalf, as well as in any other place in which he might be tried under any law for the time being in force.

(2) Every notification under sub-section (1) shall be published in the local official *Gazette*, and a copy thereof shall be exhibited for the information of the public in some conspicuous place at each of such railway stations as the local Government may direct.

CHAPTER X

SUPPLEMENTAL PROVISIONS

135. Notwithstanding anything to the contrary in any enactment, or in any agreement or award based on any enactment, the following rules shall regulate the levy of taxes in respect of railways and from railway administrations in aid of the funds of local authorities, namely :—

(1) A railway administration shall not be liable to pay any tax in aid of the funds of any local authority unless the Governor-General in Council has, by notification in the official *Gazette*, declared the railway administration to be liable to pay the tax.

(2) While a notification of the Governor-General in Council under clause (1) of this section is in force, the railway administration shall be liable to pay to the local authority either the tax mentioned in the notification or, in lieu thereof, such sum, if any, as an officer appointed in this behalf by the Governor-General in Council may, having regard to all the circumstances of the case, from time to time determine to be fair and reasonable.

(3) The Governor-General in Council may at any time revoke or vary a notification under clause (1) of this section.

(4) Nothing in this section is to be construed as debarring any railway administration from entering into a contract with any local authority for the supply of water or light, or for the scavenging of railway premises, or for any other service which the local authority may be rendering or be prepared to render within any part of the local area under its control.

(5) "Local authority" in this section means a local authority as defined in the General Clauses Act, 1887, and includes any authority legally entitled to or entrusted with the control or management of any fund for the maintenance of watchmen or for the conservancy of a river.

136. (1) None of the rolling-stock, machinery, plant, tools, fittings, materials, or effects used or provided by a railway administration for the purpose of the traffic on its railway, or of its stations or workshops, shall be liable to be taken in execution of any decree

or order of any Court without the previous sanction of the Governor-General in Council.

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

137. (1) Every railway servant shall be deemed to be a public servant for the purposes of Chapter IX. of the Indian Penal Code.

(2) In the definition of "legal remuneration" in section 161 of that Code, the word "Government" shall, for the purposes of sub-section (1), be deemed to include any employer of a railway servant as such.

(3) A railway servant shall not—

(a) Purchase or bid for, either in person or by agent, in his own name or in that of another, or jointly or in shares with others, any property put up to auction under section 55 or section 56, or,

(b) In contravention of any direction of the railway administration in this behalf, engage in trade.

(4) Notwithstanding anything in section 21 of the Indian Penal Code, a railway servant shall not be deemed to be a public servant for any of the purposes of that Code except those mentioned in sub-section (1).

138. If a railway servant is discharged or suspended from his office, or dies, absconds, or absents himself, and he or his wife or widow, or any of his family or representatives, refuses or neglects, after notice in writing for that purpose, to deliver up to the railway administration, or to a person appointed by the railway administration in this behalf, any station, dwelling-house, office, or other building, with its appurtenances, or any books, papers, or other matters belonging to the railway administration, and in the possession or custody of such railway servant at the occurrence of any such event as aforesaid, any magistrate of the first class may, on application made by or on behalf of the railway administration, order any police-officer, with proper assistance, to enter upon the building and remove any person found therein, and take possession thereof, or to take possession of the books, papers, or other matters, and to deliver the same to the railway administration



or a person appointed by the railway administration in that behalf.

139. Any notice, determination, direction, requisition, appointment, expression of opinion, approval, or sanction to be given or signified on the part of the Governor-General in Council, for any of the purposes of, or in relation to this Act, or any of the powers or provisions therein contained, shall be sufficient and binding if in writing signed by a Secretary, Deputy-Secretary, Under-Secretary, or Assistant-Secretary to the Government of India, or by any other officer or servant authorised to act on behalf of the Governor-General in Council in respect of the matters to which the same may relate, and the Governor-General in Council shall not in any case be bound in respect of any of the matters aforesaid unless by some writing signed in manner aforesaid.

140. Any notice or other document required or authorised by this Act to be served on a railway administration may be served, in the case of a railway administered by the Government or a Native State, on the manager and, in the case of a railway administered by a railway company, on the agent in India of the railway company—

- (a) by delivering the notice or other document to the manager or agent, or
- (b) by leaving it at his office, or
- (c) by forwarding it by post in a prepaid letter addressed to the manager or agent at his office, and registered under Part III. of the Indian Post-Office Act, 1866.

141. Any notice or other document required or authorised by this Act to be served on any person by a railway administration may be served—

- (a) by delivering it to the person, or
- (b) by leaving it at the usual or last known place of abode of the person, or
- (c) by forwarding it by post in a prepaid letter addressed to the person at his usual or last known place of abode, and registered under Part III. of the Indian Post-Office Act, 1866.

142. Where a notice or other document is served by 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.

143. (1) A rule under section 22, section 34, or section 84, or the cancellation, rescission, or variation of a rule under any of those sections, or under section 47, sub-section (4), shall not take effect until it has been published in the *Gazette* of India.

(2) Where any rule made under this Act, or the cancellation, rescission, or variation of any such rule, is required by this Act to be published in the *Gazette* of India, it shall, besides being so published, be further notified to persons affected thereby in such manner as the Governor-General in Council, by general or special order, directs.

(3) The Governor-General in Council may cancel or vary any rule made by him under this Act.

144. (1) The Governor-General in Council may, by notification in the *Gazette* of India, invest, absolutely or subject to conditions, any local Government with any of the powers or functions of the Governor-General in Council under this Act with respect to any railway, and may, by that or a like notification, declare what local Government shall, for the purposes of the exercise of powers or functions so conferred, be deemed to be the local Government in respect of the railway.

(2) The provisions of section 139 with respect to proceedings of the Governor-General in Council shall, so far as they can be made applicable, apply to proceedings of a local Government exercising the powers or discharging the functions of the Governor-General in Council in pursuance of a notification under sub-section (1).

145. (1) The manager of a railway administered by the Government or a Native State, and the agent in India of a railway administered by a railway company, may, by instrument in writing, authorise any railway servant or other person to act for or represent him in any proceeding before any civil, criminal, or other court.

(2) A person authorised by a manager or agent to conduct prosecutions on behalf of a railway administration shall,

notwithstanding anything in section 495 of the Code of Criminal Procedure, 1882, be entitled to conduct such prosecutions without the permission of the Magistrate.

146. The Governor-General in Council may, by notification in the *Gazette* of India, extend this Act or any portion thereof to any tramway worked by steam or other mechanical power.

147. The Governor-General in Council may, by a like notification, exempt any railway from any of the provisions of this Act.

148. (1) For the purposes of section 3, clauses (5) (6) and (7), and sections 4 to 19 (both inclusive), 47 to 52 (both inclusive), 59, 79, 83 to 92 (both inclusive), 96, 97, 98, 100, 101, 103, 104, 107, 111, 122, 124 to 132 (both inclusive), 134 to 138 (both inclusive), 140, 141, 144, 145 and 147, the word "railway," whether it occurs alone or as a prefix to another word, has reference to a railway or portion of a railway under construction, and to a railway or portion of a railway not used for the public carriage of passengers, animals, or goods as well as to a railway falling within the definition of that word in section 3, clause (4).

(2) For the purposes of sections 5, 21, 83, 100, 101, 103, 104, 121, 122, 125 and 137, sub-sections (1), (2) and (4), and section 138, the expression "railway servant" includes a person employed upon a railway in connection with the service thereof by a person fulfilling a contract with the railway administration.

149. In sections 194 and 195 of the Indian Penal Code, for the words "by this Code or the law of England" the words "by the law of British India or England" shall be substituted.

150. For that portion of the preamble to the Sindh-Pishin Railway Act, 1887, which begins with the words "so far as it applies," and ends with the words "in its entirety," the words "should apply in its entirety to that part of the Sindh-Pishin section of the North-Western Railway which lies beyond the Province of Sindh" shall be substituted.

RAILWAY POLICY IN INDIA

THE FIRST SCHEDULE

ENACTMENTS REPEALED

(See Section 2)

Number and year	Title	Extent of repeal
<i>Acts of the Governor-General in Council</i>		
III. of 1865	Carriers Act, 1865	Section 7 (so far as it relates to railways) and section 10
IV. of 1879	Indian Railway Act, 1879	The whole
IV. of 1883	Indian Railway Act, 1883	The whole
XI. of 1886	Indian Tramways Act, 1886	Section 49
XX. of 1886	Upper Burma Laws Act, 1886	So much as relates to Acts IV. of 1879 and IV. of 1883.

THE FIRST SCHEDULE

ENACTMENTS REPEALED

(See Section 2)

Act of the Lieutenant-Governor of Bengal in Council

II. of 1882	Bengal Embankment Act, 1882	Section 16 and in section 17 the proviso to the first paragraph of that section, the words "or under the section last preceding" and the words "or railroad" wherever they occur.
-------------	-----------------------------	---

THE SECOND SCHEDULE

ARTICLES TO BE DECLARED AND INSURED

(See Section 75)

- (a) gold and silver, coined or uncoined, manufactured or un-manufactured ;
- (b) plated articles ;
- (c) cloths and tissue and lace of which gold or silver forms part, not being the uniform or part of the uniform of an officer, soldier, sailor, police-officer, or person enrolled as a volunteer under the Indian Volunteers Act, 1869, or of any public officer, British or Foreign, entitled to wear uniform ;
- (d) pearls, precious stones, jewellery, and trinkets ;
- (e) watches, clocks, and timepieces of any description ;
- (f) Government securities ;
- (g) Government stamps ;
- (h) bills of exchange, hundis, promissory notes, bank-notes, and orders or other securities for payment of money ;
- (i) maps, writings, and title-deeds
- (j) paintings, engravings, lithographs, photographs, carvings, sculpture, and other works of art ;
- (k) art pottery and all articles made of glass, china, or marble ;
- (l) silks in a manufactured or unmanufactured state, and whether wrought up or not wrought up with other materials ;
- (m) shawls ;
- (n) lace and furs ;
- (o) opium ;
- (p) ivory, ebony, coral, and sandalwood ;
- (q) musk, sandalwood-oil, and other essential oils used in the preparation of *itr* or other perfume ;
- (r) musical and scientific instruments ;
- (s) any article of special value which the Governor-General in Council may, by notification in the *Gazette* of India, add to this schedule.

S. HARVEY JAMES,
Secy. to the Govt. of India.



APPENDIX C

LIST OF INDIAN RAILWAYS SHOWING LENGTHS AND OTHER STATISTICAL
FIGURES, 1892

RAILWAY.	Mean Mileage Worked.	Average Earnings per Mile per Week in 1892-93.	Average Cost per Mile. Rs. Single Track.	Working Ex- penses per cent of Gross Earnings.	Net Earnings per cent on the Capital Out- lay on Open Line.
STATE LINES WORKED BY COMPANIES.	Miles.	Rs.	Rs.	Rs.	Rs.
<i>Standard gauge—</i>					
East Indian	1,634	580	143377	28.73	9.62
Bengal-Nagpur	862	140	96351	50.55	3.19
Indian Midland	752	129	109376	61.63	2.09
Bezwada extension (a)	112	80	54906
<i>Metre gauge—</i>					
Rajputana-Malwa (b)	1,699	258	66014	41.01	10.13
South Indian	1,043	139	60887	62.89	3.64
Southern Mahratta (c)	1,156	87	80482	68.69	1.47
Bengal and North-Western (d)	756	137	58982	41.12	5.85
Rahilkund and Kumaon (Lucknow-Bareilly section)	199	66	34.268	59.72	3.51
Total	8,213	243			
STATE LINES WORKED BY THE STATE.					
<i>Standard gauge—</i>					
North-Western (State) (e)	2,509	201	132883	64.25	2.22
Oudh and Rahilkund (State)	692	235	113550	41.28	5.43
Eastern Bengal (State) (including metre and 2' 6" gauges)	777	292	139288 ¹	44.32	6.62
Bengal Central (f)	125	120	68,712	59.33	3.11



<i>Metre gauge—</i>					
Burma (State)	728	194	72279	52.31	5.39
<i>Special gauges—</i>					
Jorhāt (State provincial)	25	46	24.616	82.16	1.56
Cherra-Companyganj (State provincial)	8	47	41.233	95.33	0.24
Total	4,864	217			
LINES WORKED BY GUARANTEED COMPANIES.					
<i>Standard gauge—</i>					
Great Indian Peninsula (g)	1,490	513	136817	50.28	7.29
Bombay, Baroda, and Central India	461	605	148966	42.92	8.44
Madras	840	226	115749	55.40	3.58
Total	2,791	442			
TOTAL (Guaranteed and State)	15,868	271			
ASSISTED COMPANIES.					
<i>Standard gauge—</i>					
Delhi-Umballa-Kalka	161	132	83.672	48.00	3.69
Tarkessur	22	252	69.164	47.28	8.94
<i>Metre gauge—</i>					
Rahilkund and Kumaon (Company's section)	67	118	35.078	54.17	9.66
Dibru-Sadiya	78	123	79.023	68.10	2.40
Total	328	135			

(a) Includes the Bezvāda-Godaveri section of the East Coast (State) Railway.

(b) Includes the Godhra-Rutlam Railway.

(c) Includes the Guntakal-Mysore frontier section from 1st April 1893.

(d) Includes the Tirhoot State Railway. Although for convenience classed amongst the State railways, the company's section of this line is the property of the Bengal and North-Western Railway Company.

(e) Includes the Jammu and Kashmir and the Hyderabad-Umarkot Railways.

1 Broad gauge figures only.

(f) Although for convenience classed amongst the State railways, this line is the property of the Bengal Central Railway Company.

(g) Includes the Wardha Coal, Dhond-Manmāḍ, Khāmgāon, and Amrāoti Railways.



LIST OF INDIAN RAILWAYS—*Continued.*

RAILWAY.	Mean Milage Worked.	Average Earnings per Mile per Week in 1892-93.	Average Cost per Mile. Rs. Single Track.	Working Ex- penses per cent of Gross Earnings.	Net Earnings per cent on the Capital Out- lay on Open Line.
	Miles.	Rs.	Rs.	Rs.	Rs.
LINES OWNED BY NATIVE STATES AND WORKED BY OTHER AGENCIES.					
<i>Standard gauge—</i>					
The Nizam's Guaranteed State	333	151	103668	52.35	3.35
The Gaekwar's Petlad	13	96	46453	43.25	4.89
Rajpura-Bhatinda	108	92	53.997	55.00	3.82
<i>Metre gauge—</i>					
Southern Mahratta (Mysore section) (k)	331	94	42.615	67.92	2.96
The Gaekwar's Mehsana	93	59	28.548	40.92	5.15
Kolhapur	29	67	75.349	67.72	1.23
<i>Special gauge—</i>					
The Gaekwar's Dabhoi	72	68	23.950	55.37	5.77
Total	979	107			
LINES OWNED AND WORKED BY NATIVE STATES.					
<i>Metre gauge—</i>					
Bhavnagar-Gondal-Junagarh-Porbandar	334	102	45.872	72.25	2.54
Jodhpur section	46	...	18.710	44.14	11.01
Jodhpur-Bikaner section	364	60	21.317	67.47	2.63
<i>Special gauge—</i>					
Morvi	94	65	21.227	57.83	6.19
Total	838	80			
GRAND TOTAL	18,013	251			

(k) Includes the Nanjangud extension and the Yesvantpur-Dodballapur section.

INDEX

- ACCIDENTS (Act 1890), 329, 330
 Acquisition of railways by the State,
 6, 7, 15, 18
 Acts, Indian Railway (1854), 226,
 227, 230; (1870) 228, 230; (1871)
 227, 228, 230; (1879) 231, 232,
 233; (1883) 232, 233; (1890) 233
sqq.; protests against, 237, 238;
 application in native states, 238,
 239; *see also* Appendix B, p. 286
sqq.
 Afghan war, the, 77
 Agencies for working railways, 45,
 46, 52, 53, 56
 Agreements, earliest, between Gov-
 ernment and railway companies,
 60 *sqq.*, 68
 Ahmedabad-Ajmere line, 177 *sqq.*
 American "pioneer" lines unsuit-
 able for India, 100, 101
 Amraoti Railway, fares on, 198
 Andrew, Sir W. P., 223
 Areas of extension for railway com-
 panies proposed, 53, 54
 Argyll, Duke of, Secretary of State,
 23, 76, 93; his despatch of 1869,
 99, 131; of 1873, 157 *sqq.*, 172-
 174; his views on the gauge
 question, 100, 135, 142, 147; his
 despatches on the gauge question,
 147, 155, 157
 Articles to be declared and insured
 (Act 1890), 349
 "Assisted" companies, 85, 86
 BALLAST (broad gauge), standard
 dimensions of, 257; (metre
 gauge), ditto, 267; (special gauge
 2½ ft.), ditto proposed, 278
 Baring, Sir Evelyn, *see* Cromer, Lord
 Bayley, Mr. E. C., 174
 Bengal and North-Western Rail-
 way, formation of, 42, 81; fares
 on, 203; statistics of, 350
 Bengal Central Railway Company,
 formation of, 77, 80, 81; statis-
 tics of, 350
 Bengal-Nagpore Railway, 42, 50,
 84, 85, 87, 182; fares on, 204;
 statistics of, 350
 Bezvāda extension railway, statistics
 of, 350
 Bhāvnagar-Gondal-Junāgarh-Por-
 bandar Railway, statistics of, 352
 Bidder, Mr. G. P., consulting
 engineer, 145
 Board of Control, the, 3, 9, 10
 Bogie stock used, 102
 Bombay, Baroda, and Central Indian
 Railway, 14, 17, 26, 45, 165, 176
sqq.; fares on, 198, 204; goods
 rates on, 207; statistics of, 351
 Broad or standard gauge (5½ ft.),
 41, 53, 73, 98, 99, 104, 119, 121,
 126 *sqq.*, 157, 177, 181 *sqq.*;
 adoption of, 123, 124, 126; for

- military lines, 100, 162 *sqg.*, 170, 181; mileage of, 243; standard dimensions on, 256 *sqg.*
Broad gauge (6 ft.), 121, 122
— (7 ft.), 120
Broad gauge lines, construction of, 101
Burma Railway, statistics of, 351
- CALCUTTA and South-Eastern Railway, fares on, 198
Canning, Lord, Governor-General, 65, 125
Capital account of railway companies, charges against, 70, 71
Carnatic Railway Company, 130
Carriage of passengers (Act 1890), 323-325
— of property (Act 1890), 318 *sqg.*
Carriages and waggons (broad gauge), standard dimensions of, 264-266; (metre gauge), ditto, 275-277; (special gauge, 2½ ft.), ditto proposed, 284, 285
Carriages, size of, 150, 151
Cattle-trespass, legislation on, 227
Cherra - Companyganj Railway, statistics of, 351
Chittagong-Assam Railway, 88, 89
Clarke, Sir Andrew, R.E., 28, 178, 180
Clearing-house, proposed establishment of a, 217
Colvin, Sir Auckland, proposals of, 40, 50
Commissions, railway (Act 1890), 307 *sqg.*
Committee of engineers (1846), 7
— on the gauge question, 144
— of House of Commons (1857-58), 14, 63, 64
— of locomotive and carriage superintendents, annual assembly of, 113 *sqg.*
- Committee, select, on Railway Act of 1890, 234
— on railways (1884), recommendations of, 40, 41
Conferences of railway officers, 46, 110 *sqg.*
Construction and maintenance of railways (Act 1890), 298 *sqg.*
Consulting engineers, 62, 103, 104
Contracts with guaranteed companies, profits, 25
Conway-Gordon, Colonel L., his views on the gauge question, 183; his note on rates and fares, 218
Coolie trains, 195
Cranborne, Lord, Secretary of State, 228
Cranbrook, Lord, Secretary of State, 180
Cromer, Lord (Sir Evelyn Baring), 31, 34; his views on railway monopolies, 31, 32, 77
Cross, Lord, Secretary of State, his despatch of 1889, 51, 52, 55; of 1891, 56; of 1890, 184
Curves, minimum radius of, 102; maximum angle of (broad gauge), 257; (metre gauge), ditto, 267; (special gauge, 2½ ft.), ditto proposed, 278
- DALHOUSIE, Lord, Governor-General, 10, 33, 43, 59, 64, 118, 242, 249; his minute of 1850, 11, 12; of 1853, 13, 46; his minutes on the gauge question, 119 *sqg.*
Davidson, Colonel E., quoted, 66
Delhi - Umballa - Kalka Railway Company, 51, 84, 87, 88; statistics of, 351
Dibru-Sadiya Railway, statistics of, 351
Dickens, General C. H., 92, 144,

- 145, 162; his note on the gauge question, 166 *sqg.*
- Dimensions, standard, *see* Standard dimensions.
- Directorship of State railways established, 105; also of railway stores, 105
- EAST Indian Railway Company, 14, 60, 68, 87, 118, 182, 211, 219, 246; formation of, 10; acquirement of by Government, 78, 79; fares on, 198, 204; statistics of, 350
- Eastern Bengal Railway, 14, 45; fares on, 198, 204; statistics of, 350
- Elgin, Lord, Governor-General, his views on the gauge question, 126, 128
- Elliott, Sir Charles, 51
- Ellis, Hon. B. H., 169, 176, 178; his minute on the gauge question, 170, 171, 174
- Engine-drivers, 102
- Engines for standard gauge lines, 101; for metre gauge lines, 102; *see also* Locomotive engines.
- English railways compared with Indian, 2, 190
- Exchange, fluctuation of, as affecting railways, 49, 117, 243
- Expenditure on railways since 1870, 25; in 1892-93, 57
- — — average (from 1850 to 1892), 251, 252
- "Experimental" railway, 2, 11
- FAMINE Commission, mileage of railways needed, 29, 251, 252
- Famines of 1876-78, 29, 77
- Festiniog Railway, 137, 149, 156
- Fixed structures (broad gauge), standard dimensions of, 258 *sqg.*; (metre gauge), ditto, 268 *sqg.*; (special gauge, 2½ ft.), ditto proposed, 279, 280
- Forfeitures by railway companies (Act 1890), 331-333
- Formation (broad gauge), standard dimensions of, 256, 257; (metre gauge), ditto, 266, 267; (special gauge, 2½ ft.), ditto proposed, 277, 278
- Fowler, Mr. John, 144, 145, 152
- Fox, Mr. C. D., consulting engineer, 146
- Funds for railway construction, views of Sir T. C. Hope, 35, 47, 48
- GAEKWAR'S Dabhoi Railway, the, statistics of, 352
- Mehsaná Railway, the, statistics of, 352
- Petlād Railway, the, statistics of, 352
- Gauge, question of, 10, 11, 23, 24, 41, 52, 53, 54, 98, 99, 118 *sqg.*, 248 *sqg.*; committee of engineers upon, 144; committee of House of Commons on, 182, 183; proposed legislation on, 183, 184; *see also* broad gauge, metre gauge, special gauge.
- Goods rates, 205 *sqg.*; Government control of, 206 *sqg.*; tables of, 207; maxima and minima of, fixed, 219, 220; reductions of, 222, 248
- Goods traffic, early anticipations of, 3, 4, 187
- Government administration of railways, 116, 117
- Government control of Indian railways, 5 *sqg.*, 33, 60 *sqg.*, 83, 192, 206 *sqg.*
- Grant, Sir J. P., views of, 65
- Great Indian Peninsula Railway Company, 14, 17, 26, 60, 118, 176, 182; fares on, 195, 198, 204, goods rates on, 207; statistics of, 351

Great Southern Railway, fares on, 204.

Guarantee, system of, 6, 7, 9, 10, 13, 14, 16, 17, 18, 19, 20, 30, 33, 35, 50, 51, 52, 57, 59 *sqg.*, 91 *sqg.*, 118, 123, 177
 — limited, 33, 37, 42

HARDINGE, Lord, Governor-General, 1, 7; his minute of 1846, 7

Hartington, Lord, Secretary of State, 30, 44; his dispatch of 1881, 77

Hawkshaw, Mr. John, consulting engineer, 145, 146

Holkar Railway, fares on, 198

Hope, Sir Theodore C., views of, 29, 34, 35, 39, 40, 43, 48

House of Commons, committee of (1857-58), 14, 63, 64

INDIAN Branch Railway Company, 16, 17, 18, 72, 73, 125, 128; *see also* Oudh and Rahilkund Railway Company.

Indian Midland Railway, 42, 50, 84; fares on, 204; statistics of, 350

Indian Tramway Company, 72, 73, 129

Indus Valley Railway, 100, 135 *sqg.*, 155, 161, 165 *sqg.*, 169, 170, 173, 176

Inspection of railways (Act 1890), 296, 297

JODHPUR-BICKANEER Railway, statistics of, 352

Jodhpur Railway, statistics of, 352

Jorhāt Railway, statistics of, 351

KENNEDY, Major J. P., consulting engineer, 121

Khamgaon Railway, fares on, 198

Kimberley, Lord, Secretary of State, 217

Kolhápúr Railway, statistics of, 352

LAHORE - RAWALPINDI Railway, 135 *sqg.*, 155, 173

Laing, Mr. S., views of, 65, 66

Land, free gift of, to railway companies, 5, 7, 8, 18, 33, 35, 38, 40, 51, 54, 74, 87, 90, 91

— leasing of, 5, 18, 33, 60

Lansdowne, Lord, Governor-General, 53

Lawrence, Lord, Governor-General, 18, 74; his minutes on railways (1867, 1869), 18, 20, 22, 76, 92, 94, 95, 130 *sqg.*, 142, 143; views on the construction of railways, 22, 33

Legislation, Indian railway, 226 *sqg.*; *see also* under Acts

— on gauge question, proposed, 183, 184

Limit of borrowing, 350 lakhs, 41, 47

Limited guarantee, 33, 37, 42

"Line clear" system, working of, 102

Loads, limits of, 102, 128

Local railway boards, suggested institution of, 52

Locomotive engines (broad gauge), standard dimensions of, 263, 264; (metre gauge), ditto, 274, 275; (special gauge, 2½ feet,) ditto proposed, 283, 284

Lucknow-Cawnpore Railway, 126

Lytton, Lord, Governor-General, 30

MADRAS Railway, 14, 26, 68, 244; fares on, 195, 198, 203, 204; goods rates on, 207; statistics of, 351

Maintenance of railways (Act 1890), 298 *sqg.*

Mayo, Lord, Governor-General, 33, 76, 101, 135, 142, 143, 249; despatches of 1869, 93, 95 *sqg.*, 130, 131; his memorandum of 1870 on the gauge question, 147 *sqg.*

- Metre gauge (3 ft. 3 $\frac{3}{8}$ in.), adoption of, 24, 28, 42, 43, 45, 53, 77, 99, 100, 104, 130, 131, 147, 154, 155, 178, 181 *sqq.*, 242, 249, 250; for military purposes, 154, 158 *sqq.*, 162 *sqq.*; mileage of, 243; standard dimensions on, 266 *sqq.*
- Metre gauge lines, construction of, 101
- Military railways, 46, 47, 99, 100
- Miller, Mr., American engineer, his views on Indian railways, 101
- Molesworth, Sir Guilford L., consulting engineer, 104, 156, 162; his report on the gauge question, 163 *sqq.*
- Morvi Railway, statistics of, 352
- Mutiny of 1857, 15, 69
- NALHATI-AZIMGANJ Railway, 126; fares on, 198
- Napier of Magdala, Lord, 100, 142, 143, and the gauge question, 162, 163, 173, 174
- Narrow gauge, *see* Special gauge
- Narrow gauge lines, first proposals of Government, 23
- Natives as railway servants, 101
- Nizam's Railway, fares on, 198, 204; the statistics of, 352
- Non-guaranteed railways, 72, 73
- Norman, Sir Henry, his views on the gauge question, 174
- Northbrook, Lord, Governor-General, 100; his views on the gauge question, 156, 169, 173, 174
- Northcote, Sir Stafford, Secretary of State, views of, 19, 75, 76; his despatches of 1868, 92, 93
- North-Western Railway, through fares on, 223; statistics of, 350
- OBSTACLES against Indian railways assumed, 3
- Offences (Act 1890), 331 *sqq.*
- Offences by railway servants (Act 1890), 333
- Officials, railway, staff of organised, 103 *sqq.*
- Opening of railways (Act 1890) 303 *sqq.*
- Oudh Railway Company, 18
- Oudh and Rahilkund Railway Company (formerly Indian Branch Railway Company), 76, 91, 126; fares on, 198, 204, 230; goods rates on, 207; statistics of, 350
- PASSENGER fares on Indian railways, 187 *sqq.*; tables of, 188, 195, 198, 204, 225; compared with English, 190; on State railways, 195, 196; Government control of, 192; maxima and minima, 204, 225; reductions of, 198 *sqq.*, 248; through to England, 222, 223
- Passenger traffic not anticipated, 3, 4, 187
- Passengers, carriage of (Act 1890), 323-325
- Penalties and offences (Act 1890), 331
- Permanent way (broad gauge), standard dimensions of, 257, 258; (metre gauge), ditto, 267, 268; (special gauge, 2 $\frac{1}{2}$ ft.), ditto proposed, 278, 279
- "Pioneer" (American) lines, unsuitable for India, 100, 101
- Plant, railway, types of, used, 101, 102
- Procedure against offences (Act 1890), 341, 342
- Productive works, 30, 33, 35, 37, 40, 41
- Profits, railway, paid to companies by Government, 245; Government share of, 245, 246
- Property, carriage of (Act 1890), 318 *sqq.*
- Protective railways, 37, 38, 40, 41, 84

- Protests against Act of 1890, 237, 238
- Provident fund for railway employees, 46, 109, 110
- Punjab and Delhi Railway, fares on, 198
- Punjab Northern Railway, 100, 161, 163, 165, 166, 169, 174; fares on, 198
- RAHILKUND and Kumaon Railway, formation of, 81; statistics of, 350, 351
- Rails, weight of, 100, 101, 118
- Railway companies, relations of, with the Government, 252, 253
- Railway service corps (military), 115 *sqg.*
- Railways, Indian, first projected, 1, 2, 7, 8; compared with English, 2; obstacles to, assumed, 3; Government control of, 5 *sqg.*, 33, 59 *sqg.*, 192, 206 *sqg.*; great trunk lines of, 14; expenditure on, since 1870, 25; in 1892-93, 57; (average) from 1850-92, 251, 252; and famines, 28, 29; proposals for construction of, 30 *sqg.*; for military purposes, 46, 47, 99, 100, 244, 245; funds for construction of, 45, 47, 48; agencies for working, 45, 46, 52, 53, 56; guaranteed and assisted, 59 *sqg.*; State construction and administration of, 91 *sqg.*; gauges of, 10, 11, 23, 24, 41, 52 *sqg.*, 98 *sqg.*, 118 *sqg.*, 243, 248 *sqg.*; details of construction of, 101, 102; plant, etc. for, 101, 102; directorships of, established, 105; conferences of officials concerning, 113 *sqg.*; passenger fares on, 187 *sqg.*, 225; goods rates on, 205 *sqg.*; legislation on, 226 *sqg.*; financial aspect of, 243 *sqg.*; future extension of, 251, 252, 254, 255; standard dimensions of, 256 *sqg.*; Act (1890), 294 *sqg.*; inspection of, 296, 297; construction and maintenance of, 290 *sqg.*; opening of, 303 *sqg.*; commissions on, 307 *sqg.*; working of, 314 *sqg.*; statistical list of, 350-352
- Rajpura-Bhātinda Railway, statistics of, 352
- Rajputana-Malwa Railway, 43, 45, 159, 165, 180; fares on, 198, 204; statistics of, 350
- Rates and fares, 74, 80, 187 *sqg.*, 246 *sqg.*; tables of, 188, 195, 198, 204
- Rates, competitive, to Bombay and Calcutta, 43, 44, 210 *sqg.*
- Rendel, Sir A. M., consulting engineer, 104, 144
- Responsibility of railway administrations as carriers (Act 1890), 325 *sqg.*
- Revenue account of railway companies, charges against, 70, 71
- Ripon, Lord, Governor-General, 30, 31, 42; his proposals for railway extension (1881), 33; (1883), 34
- Roberts, Lord, his memoranda on the gauge question, 162, 175
- Rolling stock, types of, used, 101, 102; plans for improvement of, 113, 114
- SALISBURY, Lord, Secretary of State, 100; his views on the gauge question, 175
- Simms, Mr., consulting engineer, 5, 6, 7, 15; his proposals for control, 5; his views on the gauge question, 118, 119
- Sind, Punjab and Delhi Railway, 14, 45, 46, 161, 165, 173; fares on, 198, 204
- Smith, Mr. Lee, 156

- South Indian Railway Company,
 55, 56, 130; fares on, 198, 199;
 statistics of, 350
- Southern Mahratta Railway Com-
 pany, formation of, 42, 82, 83;
 statistics of, 350; (Mysore section),
 statistics of, 352
- Special gauge (2 ft.), 185; mileage
 of, 243
 ——— (2½ ft.), 129, 130, 135,
 136, 145, 149, 150, 153, 154,
 181, 185, 249; mileage of, 243
 ——— (2 ft. 9 in.), 145, 149,
 150, 153, 249
 ——— (4 ft.), 126
 ——— (4 ft. 8½ in.), proposed,
 10, 22, 23, 118 *sqg.*, 125 *sqg.*
- Speed, limits of, 102, 128
- Staff of railway officials organised,
 103 *sqg.*
- Standard dimensions, 101, 102, 256
sqg.
- Standard gauge, *see* Broad gauge.
- Stanley, Lord, Secretary of State,
 123
- State administration of railways,
 defects of, 253, 254
- Station machinery (broad gauge),
 standard dimensions of, 262, 263;
 (metre gauge), ditto, 273, 274;
 (special gauge, 2½ ft.), ditto pro-
 posed, 282, 283
- Station yards (broad gauge), stan-
 dard dimensions of, 261, 262;
 (metre gauge), ditto, 271, 272;
 (special gauge, 2½ ft.), ditto pro-
 posed, 281
- Stations, railway, construction of,
 102; distances between, 102
- Stephenson, Sir Macdonald, 1, 60
- Strachey, General R., 144, 145, 172
- Supervision of railway engineers,
 difficulties of, 13, 14
- Supplemental provisions (Act 1890),
 343 *sqg.*
- TARKESSUR Railway Company, 84;
 statistics of, 351
- Technical section of public works
 department, 115
- Temple, Sir R., 169; his views on
 the gauge question, 170, 174
- Third-class traffic, preponderance
 of, 189, 190, 196, 197
- Thornton, Mr. W. T., 157
- Tirhoot State Railway, absorption
 of, 81; fares on, 198, 204
- Traffic facilities (Act 1890), 311
- Trevelyan, Sir C., his views on the
 gauge question, 126, 127, 129
- Trevor, Major-General J. S., first
 director-general of railways, 106
- WARDHA Valley Railway, fares on,
 198
- Williams, Sir E. C. S., 18; his
 note on the guarantee system, 92;
 appointed director of State rail-
 ways, 105; his views on the gauge
 question, 172; his views on fares,
 196
- Wilson, Mr. J. E., 124, 125, 128
 ——— Mr. James, Secretary to the
 Board of Control, 10
- Wood, Sir Charles, Secretary of
 State, 17, 123, 177; despatch of
 1864, 70 *sqg.*
- Working of railways (Act 1890),
 314 *sqg.*
- YULE, Colonel H., his views on the
 gauge question, 123, 124