

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	17/2	Press ~~Mis.~~
Dated	28-10-	1887

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
28th October 1867.*

No. 253: Read the following Proceedings of Government in the Public Works Department, dated 22nd October 1867, No. 3268.

Communicating a Circular containing } (Vide Proceedings, Public Works Department, dated 22nd October 1867, Nos. 447 & 448).
rules for the guidance of the Railway }
Police, North-West Provinces.

No. 254: ORDER THEREON, 28th October 1867, No. 1712.

Communicated to the Inspector General of Police.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

To the Inspector General of Police.

Exd. F. Bantleman.

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*Proceedings of the Madras Government, Public Works Department,
22nd October 1867.*

No. 447. Read the following letter from the Officiating Assistant Secretary for Secretary to the Government of India, Public Works Department, (Railway,) to the Secretary to the Government of Madras, Public Works Department, (Railway Branch,) dated Simla, 18th September 1867, No. 816R :—

I am directed to forward, for information, the accompanying copy of a Circular addressed by the Inspector General of Police, North-Western Provinces, to the District Superintendents of Police under him, laying down rules for the guidance of the Railway Police, North-Western Provinces.

Circular from the Personal Assistant to Inspector General of Police, to all District Superintendents of Police, North-West Provinces, dated 26th April 1867, No. 17.

1. A Government Railway Police, organized to meet the joint requirements of the Government and the Railway Company, under the management and control of an Assistant Inspector General, having, with the consent of the Board of Agency, been introduced on the East Indian Railway, it becomes necessary to define their duties, and to lay down some general rules of procedure for the Assistant Inspector General of Police, and the Superintendents of Police through whose districts the line runs.

2. The Government Railway Police are a part of the force of the General District Police of the Province, administered and paid by Government, through the Inspector General of Police, and subject, in all respects, to the provisions of Act V of 1861. They are, however, placed absolutely at the disposal of the Agent of the Railway Company, so far as is consistent with the law in force; but they are under the general control of the Inspector General, and general returns of crime will be furnished to that officer, to be incorporated in the general Criminal Statistics of the country. The Government Railway Police holds a position in regard to the Railway Company analogous to that of a Municipal Police towards a Municipality. Their serving on this duty will, however, in no way affect any of their privileges or their claim to pension. They have been drafted from the several districts of the neighbourhood, and it is in every way desirable that the men of the districts, through which the Railway runs should, owing to their local knowledge and experience, be appointed to those particular portions of the line.

3. The Assistant Inspector General will have sole control over the organization and discipline of the Railway Police. All appointments, promotions, dismissals, and punishments of Officers below the rank of Inspector will be made by him, subject only to the control of the Inspector General. Inspectors will be appointed by the Inspector General, and cannot be discharged without his order. The Assistant Inspector General is also empowered, in consultation with the Board of Agency, to transfer and dispose of the force at his command to the best possible advantage; in this matter the Inspector General will not interfere. Transfers, however, from Railway to District Police, and *vice versa*, will be made under the authority of the Inspector General only. The Assistant Inspector General will consult the Agents of the Railway Company, and is bound to carry out their wishes, as far as is consistent with the laws in force, in all matters affecting the disposal of the force, as to the best manner of maintaining observance of the Bye-laws of the Company, and preserving order on the Company's premises. He will report to the Agent all offences committed on the Railway, and the action taken by him in consequence. In offences against the Railway Act, the Assistant Inspector General will proceed in accordance with such instructions as he may from time to time receive from the Agents, who are responsible to Government for the prosecution of Company's servants, and others guilty of offences against the Act. The Assistant Inspector General should particularly warn the Police under his command to perform their duty in such a manner as to cause no interference with, or obstruction to, the working of the line.

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22nd October 1867.*

They should do everything in their power to maintain a good understanding with the Railway Company's Agents, and all Railway authorities with whom they may come in contact. Should a Police Officer find that he is expected, under any circumstances, to act in a manner inconsistent with his duty as an Officer of Police, he should at once report it to the Assistant Inspector General, who will either settle this matter in personal consultation with the Agency, or, if he objects to the instructions he may receive from the Agency, he will refer it to the Inspector General.

4. The Assistant Inspector General of Government Railway Police in Bengal has concurrent jurisdiction in the North-Western Provinces; and the Assistant Inspector General of the North-Western Provinces concurrent jurisdiction in Bengal.

5. The duties of the Government Railway Police are to detect and prevent crime and fraud on the line; to enforce observance of the Company's Bye-laws; to maintain order, and to afford protection to the lives and property of the public on the Railway; and to protect all Railway property of every description, except private dwelling-houses and barracks. All station-houses, entrances, passenger platforms, goods platforms, goods-sheds and yards, loaded trains and empty wagons at stations, carriage-sheds and yards, store-houses, engine-sheds and yards, and all Railway Offices, will come under the protection of the Government Railway Police. The Police at the several Railway Stations, in the absence of the Assistant Inspector General, or European Inspector, will be under the immediate control of the Station-Master, and be bound to carry out his orders, so far as is consistent with the laws in force, and the directions they may from time to time receive from the Assistant Inspector General.

6. All Railway accidents will, as heretofore, be taken up by the District Authorities—the Assistant Inspector General attending on behalf of the Railway Company, and assisting at the inquiry and prosecution. The particular attention of District Superintendents is directed to this rule. On the occasion of an accident on the Railway, they will at once take action under the rules hitherto in force, independently of the Railway Police. These accidents will be reported, as at present, by the nearest Officer of the Railway Police, or any other Department, to the Station-Master, who is responsible for reporting it to the Magistrate of the District in which it occurs, and to the higher Railway Authorities. The Assistant Inspector General will himself proceed, when possible, to the spot, and commence inquiry, in view to the case being taken up by the District Police. The Assistant Inspector General will ensure the attendance, at the inquiry, of witnesses in the Company's service.

7. It is obvious that the success of the scheme now introduced for the suppression and detection of crime on the Railway can only be insured by the existence of the utmost harmony, and the most cordial co-operation of the District Authorities with the Railway Police. District Superintendents should always remember and impress on all their subordinates that the Government Railway Police are a part and parcel of themselves, in whose success they are most closely interested, and to whom they are bound to give every information, and to render all assistance.

8. The Assistant Inspector General and the Police of the Railway, in all executive matters, will, agreeably to Section 2 Act V of 1861, be under the general control and direction of the Magistrate of every District, to the extent of that Officer's local jurisdiction. All reports of crime of every description, and of accidents occurring within the Railway limits, will be made to the Assistant Inspector General. The Railway Authorities are, however, responsible for reporting accidents to the Magistrate of the District. Extracts from the daily diaries of reports of crime will also be sent daily to the Magistrate by the Police Officer in charge of the Station, but they will not be incorporated in the District monthly, quarterly, and annual returns. Similarly, information of matters, such as crimes committed outside Railway limits, traced to within them by the District Police, should be forwarded by the District Superintendent to the Railway Assistant Inspector General; statements of special crime will be submitted by the Assistant Inspector General to the Commissioner, and copies of special Reports of professional crime will be furnished to the Office of the Inspector General. Quarterly and annual statements of all offences on the Railway and the usual Annual Report, will be furnished by the Assistant Inspector General to the Inspector General of Police in the same form as that used by District Superintendents.

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22nd October 1867.*

9. Information of crime which may be committed in the immediate neighbourhood of the limits of the Railway—as, for instance, robbery of property from people encamped immediately outside the Railway fences, waiting for trains, or for their goods to be despatched by rail—are to be conveyed by the Railway Police, through the Chowkedars of the village, to the nearest station of the District Police, within the limits of which the crime may have been committed. Beyond this the Railway Police will not act, but leave the matter in the hands of the District Police.

10. When an offence cognizable by the Police is committed on the Railway premises, and is punishable under the general laws of the country, the Railway Police will at once take measures to have the offender brought before a Magistrate; and the regular District Police will give them every assistance. All cases taken up by the Railway Police, and prisoners charged by the Railway Police, will, if the witnesses are Railway employes or travellers, be sent for trial, as a rule, to the nearest Magistrate on the line having jurisdiction. It will be remembered that the Magistrate of Mirzapoor and Assistant Magistrate of Chunar have concurrent jurisdiction over the Ghazee-poor District; the Magistrates of Allypore and Agra over the whole length from Jussuntungur to Delhi; and the Deputy Commissioner of Delhi over the line from Delhi to Ghazeeabad. But cases in which the people of the District are implicated and concerned should generally be sent for trial to the Magistrate of the District.

11. Prisoners for trial will be escorted by the Railway Police to the nearest Police Station of the District; and the District Police will then take charge of them, and convey them to the Magistrate's Court—such Railway Police only attending, as may be required, as witnesses, or to watch the case for the prosecution. The Railway Police should be as seldom absent from their Stations on the line as possible. The Assistant Inspector General will be responsible for the prosecution of offenders apprehended under his orders, and will see that the necessary witnesses are sent before the Magistrate; but on the case coming into Court, the District Court Inspector will bring up the case, and be held responsible for seeing that the witnesses are in attendance, and that all the facts of the case are laid before the Magistrate.

12. In pursuit of criminals, and for the detection of crime committed within Railway limits, and in the search of property stolen on the Railway premises, the Railway Police have of course exactly the same authority beyond the limits of Railway premises, that the ordinary District Police have beyond the limits of their own station or District, as the case may be; and they will be guided by the same rules—Sections 84, 118, 141, and 143, Act XXV of 1861, North-Western Provinces Circular No. 30, dated 17th December 1861; and Notification, (North-Western Provinces, No. 479A, dated 11th September 1863).

13. The District Superintendents, or Assistant District Superintendents of Police will not interfere in any way with the interior economy of the Railway Police, nor will they have any authority over them, except for the investigation of heinous crime under the following circumstance:—On the occurrence of any important heinous offence on the Railway, should the District Superintendent, or Assistant Superintendent, be on the spot, or close at hand, he will proceed and direct the investigation by the Railway Police, give them every assistance, and use his utmost endeavour to trace the criminals or stolen property, reporting the same to the Assistant Inspector General. On the arrival of that Officer, moreover, the District Superintendent, or Assistant District Superintendent will at once desist and leave the case in his hands. No Officer of District Police, below the rank of Assistant Superintendent, will have any authority to interfere. Police jurisdiction can, however, be exercised on the Railway by any District Police Officer, in like manner as he can under the law exercise jurisdiction beyond the limits of his own Station or district, as the case may be.

14. District Superintendents, and Assistant District Superintendents will also be expected to visit the Police at the Railway stations, and see that they are doing their duty—reporting any negligence or disobedience of standing orders to the Assistant Inspector General. The Inspector General looks for the cordial co-operation and assistance of the several Superintendents through whose districts the line passes; and he feels confident that he can depend on all concerned to use every endeavour to bring the scheme to a successful issue.

*Proceedings of the Madras Government, Public Works Department,
22nd October 1867.*

No. 448.

ORDER THEREON, 22nd October 1867, No. 3,268.

RAILWAY, No. 26.

Communicated to the Consulting Engineer for Railways for information.

(True Extract.)

Colonel, R. E.,
Secretary to Government.

To the Consulting Engineer for Railways.
„ Judicial Department.

Received 18/10/67

no 1712

Received 18/10/67

No 3268.

22/10/67

No 2294

*Communicated to the
- Civil Engineering
for the guidance of the
Railway Police - South -
West Province*

With an order

Exd. S. T. Augustin.

by the Inspector General of Police

*28. 6. 1867 No 1712.
Communicated to the Inspector General of Police.*

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