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MADRAS RECORD OFFICE

Government of Madras

Public works DEPARTMENT

G.O. No.		Press
B.P. No.	1109	Mis.
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Dated	16.11.	1873.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
16th April 1873.*

No. 230. Read the following letter from the Officiating Deputy Secretary to the Government of India, Public Works Department, (Railway,) to the Secretary to the Government of Madras, Public Works Department, (Railway,) dated Fort William, 13th March 1873, No. 428 G. R. :—

In Public Works Department Resolution No. 707, dated the 24th June 1868, the Government of India forwarded to the Government of Madras a copy of papers relative to the inexpediency of permitting Guaranteed Railway Companies to combine their telegraph systems for the transmission of general public messages. To this communication you replied in your letter No. 3,170, dated the 8th October 1868.

2. The subject, however, subsequently merged in the larger question of the erection and maintenance of the Railway Telegraphs by the State, on which point you were addressed in Public Works Department No. 125 T., dated the 7th March 1871, and which is still the subject of a protracted correspondence. Meanwhile the Director General of Telegraphs having in view the possibility of some considerable delay in the disposal of the general question has, in the letter of which a copy is enclosed, moved for the issue of separate orders for preventing Railway Companies from combining their telegraph systems so as to compete with the Government Telegraph.

3. The Government of India consider that the point raised by the Director General of Telegraphs had better be determined at present without waiting for the final settlement of the larger question above referred to, and I am directed to request that you will ascertain whether the Railway Companies have any objection to urge against the proposals of the Director General, and will also favour the Government of India with the opinion of the Government of Madras on the matter.

From the Officiating Director General of Telegraphs in India, to the Secretary to the Government of India, Public Works Department, dated 15th January 1873, No. 419.

In the course of the protracted correspondence that has passed on the subject of the Railway Telegraphs in India, many references will be found to a point of considerable importance upon which no definite orders have yet been passed. I allude to the combination of the Telegraph systems of the various Railway Companies for the purpose of competing with the Government Telegraph Department.

2. It will facilitate a consideration of question if I briefly recapitulate some of the principal references which have been made to Government on the subject.

3. So far back as the 30th March 1868, this Office letter, No. 8,605, to your address, was written with the object of ascertaining whether there was any authority of the Government of India giving the Railway Companies power to amalgamate their systems of telegraphs, and the reply contained in your No. 377 R, of the 2nd April 1868, was to the effect that there appeared to be no such authority.

4. Again, in this Office No. 458, dated 21st April 1868, Colonel Robinson brought most forcibly to the notice of Government the necessity for immediate action to put an end to this system of combination, and his remarks on the subject are so much to the point as to be well worthy of re-perusal. In Foreign Department No. 424, dated 30th April 1868, in reply it was stated that "the Governor General in Council quite admits that there are strong objections to the Railway Companies uniting their several systems, and so combining for the purpose of trans-

Proceedings of the Madras Government, Public Works Department.
1914 April 1873.

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3. The portion of the foregoing contract which I have stated was
whereof the Government in the Procurement Department, and Public
Nos. 707-12R, dated 111 July 1944, as well as from the follow-
ing to the intention of the Government of India to obtain the same
on the part of the Government of India to obtain the same.

6. The Government of India has decided that in accordance with the existing law, the Government of India will not be bound to take any time may be lost by the several Governments and Administrations of the several Railways in issuing instructions for the suspension of all further communication in the matter of extension for the purpose of transmitting several Telegraph systems either within or beyond the limits of their respective territories, with each other for the same object."

6. The Government of India in the Public Works Department, (No. 755 R of 3rd July 1904), while admitting the necessity for national companies, observes with reference to the previous action of Government does not follow that Government need hesitate to exercise any power it may possess for putting these telegraphs in works which are in the opinion of the Government, required or expedient."

7. After perusal and consideration of all former correspondence of telegraphs, including that above quoted, Foreign Department Resolution March 1890, was received. This Resolution dealt in a comprehensive question of Railway Telegraphs, and though no direct reference was made combination of Railway Telegraph systems for the purpose of competition 2nd and 3rd paragraphs containing the opinion of Government as to previous legislation on the general subject of their acceptance by the public, remove all difficulties in the way of action to put a stop to such telegraphs in question are as follow:-

"From the time when the railway companies began to erect telegraph lines for the purpose of conveying messages between stations, they have been gradually extending them to other parts of the country, and it has become necessary to consider the effect of such extensions on the public service."

The subject of Railway No. 1st, dated Feb. 1890, under which the whole of the subject of telegraphs with Government in the intention of all of the telegraph system. The present state of the subject is as follows:-

the construction of telegraph lines for the purpose of conveying messages between stations, they have been gradually extending them to other parts of the country, and it has become necessary to consider the effect of such extensions on the public service."

the construction of telegraph lines for the purpose of conveying messages between stations, they have been gradually extending them to other parts of the country, and it has become necessary to consider the effect of such extensions on the public service."

From the perusal of the papers already cited, the Secretary is of the opinion that it was never intended that, as a rule, Railway Telegraph messages for the public, except in cases where it was a direct question of Government Telegraphic establishments.

"No such case could be made out of the main lines of the railway."

8. The first reference to the Robinson, dated 1970, is in the main line of telegrams; the content of the message, dated 1970, is as follows:

8. The last reference on the subject is contained in the Appendix to Robinson, dated 19.5 May 1970 (see page 10 of the Appendix). In which this is...

[illegible]

"It was only in February last that in consequence of a complaint made in the delivery of a telegram sent by one of my own officers, which ought to have

*Proceedings of the Madras Government, Public Works Department,
16th April 1873.*

by the Great Indian Peninsula Railway Line, and partly by the East Indian Railway (*sic*) I became aware that these orders were being disobeyed, and I accordingly took advantage of being at Jubbulpore in the beginning of March last to inquire personally into why this was.

"I then learnt, to my surprise, that a regular combination existed under which all telegrams not absolutely directed to be sent by the Government lines were, under regular instructions from, and agreement between, the Railway Telegraph Superintendents, transferred to the Railway lines instead of to the Government lines.

9. This subject of combination was brought to the notice of Government on many other occasions, but the result of the whole correspondence on this and other points connected with Railway Telegraphs in India, was Public Works Department Resolution Nos. 125—8 T, dated 7th March 1871. This Resolution embodied the views of the Government of India on the general question of the relative positions to be occupied by this Department and the several Railway Companies in respect to their telegraphs, and various proposals of considerable magnitude were made. These proposals have naturally required mature consideration, and the final result of the negotiations thereby given rise to have not yet been communicated to me, but the subject of this letter, namely, Railway combination against Government, is one which demands urgent action, and is, I submit, easy of disposal *per se* without reference to the larger questions raised.

10. Paragraphs 8 and 9 of the draft License referred to in Public Works Resolution No. 125-8 T are as follow:—

VIII.—Messages tendered at a Railway Telegraph Office by the Public and by Government Officers for delivery in any part of India, and messages transferred from a Government Office to a Railway Office connected therewith, shall be received and transmitted by the Company, subject to the following rules :—

(a).—The system adopted in the Telegraph Department in respect of tariff, receipt, transmission and check of messages, instruments and code signals shall be adopted and strictly followed, so far as the Telegraph Department may require. The general instructions of the Director General of Telegraphs on the foregoing points shall be followed in all respects.

(b).—Messages not relating to the Company's business tendered for transmission shall be received at all Telegraph Offices on the Company's Railway when open for traffic, and shall be transmitted, subject to the requirements of the Railway traffic, which in all cases will have precedence.

(c).—Messages for places on the Company's Railway will be sent by the wires ^{owned} ^{rented} by the Company.

(d).—Messages for places on another Railway, the telegraph of which is connected with that of the receiving Railway, will be sent as follows :—

1st.—If neither the Receiving Office nor any intermediate Railway Office be connected with a Government Office, the message may be sent by the wires of the two Railways.

2nd.—If the Receiving Office or an intermediate Railway Office be connected with a Government Office * (or if there be a Government Office at the same place at the Receiving Office or any intermediate Office), or if there be a Government Office at the place to which the message is addressed, the message shall be transferred to the Government Office at the Receiving Office or such intermediate Railway Office.

(e).—Messages for any place not on the Company's Railway, nor on any connected Railway, shall be transferred to the Government Office connected with the Railway Office nearest to the place at which the message is tendered.

(f).—In all cases in which a message is sent partly over Government and partly over Railway wires, the Government shall receive one-half the charge for the message. If the message goes over the wires of more than one Company, the remaining half shall be divided equally between the Companies over whose wires the message passes.

* This addition is required to provide for those cases in which it may not be found desirable to connect the Government and Railway Offices by wire, but to transfer by hand.

*Proceedings of the Madras Government, Public Works Department,
16th April 1873.*

(g).—For messages sent direct from a Railway Receiving Office to a Government Office connected therewith, for transmission by the Government wires, the Company shall receive one-eighth of the total charge, and the same proportion shall be received by Government for a message transferred direct from a Government Receiving Office to a Railway Office for transmission by the Railway wires.

(A).—For messages that pass over the Company's lines, and are sent for delivery only to a connected Government Office, the Government will receive one-eighth of the total charge and the same proportion shall be received by the Company for messages that pass over Government lines, and are sent for delivery only to a connected Railway Office.

(c).—Public and Government messages shall, as a rule, be sent in order of receipt, unless a Railway message of urgency is tendered simultaneously. But a Government message marked "clear the line," or "precedence," shall, so far as is consistent with the safe working of the Railway, take precedence of all the messages.

IX.—The Offices of the Company may be connected with Government Offices at the cost of the Government whenever the Telegraph Department may so desire, and the Company shall afford the Telegraph Department all reasonable facilities of establishing the connection.

11. These rules fully provide for the equitable transfer of messages between the Railway lines and the Government wires, while at the same time the convenience and interests of the public have been carefully studied. Provision is made in them for the direct transfer of messages from one Railway system to another in all cases when such transfers are to the interest of the sender and receiver, and by laying down a definite procedure for the interchange of messages, they will prevent altogether the injurious system of competition which has been so strongly condemned by the Government, and which has produced the worst results by fostering, at least as far as some of the Companies are concerned, a feeling of antagonism and unwillingness to avail themselves of the machinery of this Department most inimical to the public interests, and this feeling, I am convinced, will not be removed until the question of the interchange of messages with the Railway Companies is put on a proper basis.

12. The only ground upon which the Railway Companies could object to the enforcement of these rules are the terms of the general relaxation of their Licenses granted in 1862 in the matter of sending telegrams for the public. The scope of that relaxation has been already fully considered by Government. It was granted at a time when none of the large Railway Companies had connected their systems, and it is, therefore, inapplicable to the present circumstances of the general Telegraph system of India. The relaxation to send and receive private messages was given in the widest sense, as far as each Railway Company was concerned, and this concession is fully recognised in clause C of the above-quoted rules, which provides for unrestricted traffic in private messages between any two stations of the same Company, even though there may be Government Offices established at both, but it would be absurd to suppose that the Government of India, in the Home Department, even for a moment intended that the relaxation it granted in 1862 carried with it any power to prevent the Government of the future regulating in the public interest, as occasion required, a subject of such growing importance as the interchange of telegrams between its own wires and those of the Railway Companies.

13. The rules I have above-quoted have been already applied to the Oudh and Rohilkund Railway Company, and the Government have signified their intention of adopting them in their dealings with any future subordinate Telegraph Administrations that may be established in India. They are as applicable to the older Guaranteed Companies as to those of later date, and I have shown above that by ordering their universal adoption, no vested rights, imaginary or real, will be interfered with.

14. The reasons for immediate action in the matter may be summarised briefly as follows:—
I.—That in the interests of the general community it is most desirable that the Government Telegraph Department and the Telegraph systems of the Railway Companies, so

*Proceedings of the Madras Government, Public Works Department,
16th April 1873.*

far as the conveyance of paid telegrams is concerned, should, in their dealings with each other, have but one object in view, namely, the provision of the best and most rapid telegraph service practicable.

II.—That such a service cannot be obtained unless there is cordial co-operation between the Government and the Railway systems, and that a combination against the Government of two or more Railway Companies is fatal to such co-operation.

III.—That apart from considerations of general polity and good administration, the financial relations of the Guaranteed Companies towards the Government renders any combination between themselves against the Government for the purpose of competition an intolerable anomaly.

IV.—That there are no uniform rules in force to govern the interchange of messages and that, consequently, combination can and *does extensively exist* to the detriment of the general telegraph traffic of the country.

V.—That as a result of this combination, great delay occurs to messages owing to the refusal of the Railway Companies to transfer them to the Government lines when the wires of another Company are available.

VI.—That in consideration of the fact, that on the wires of a Railway Company, Railway service messages are large in number and have precedence over other messages, while on the Government lines precedence for Government messages is most rarely claimed, that the Government Telegraph Signallers are of a much superior class to those employed on the Railways, that the subjects of discipline in Signal Offices and secrecy of messages have been considered and ensured in the Government Offices to an extent which is impossible in the Railway Offices, and that the scientific arrangements made in the Government Telegraph Department for the direct transmission of messages over long distances are much superior to any in existence, or even necessary, on any Railway, it is most desirable, in the interests of the general community, that any system of combination should be prevented which has for its object to deprive senders of messages unnecessarily of the advantages that the State Telegraphs in India offer.*

15. It may be well to add that the rules quoted above are incomparably more liberal than those imposed by the Post Master General on the Railway Companies of Great Britain, notwithstanding the independent position of those companies, as compared with the Guaranteed Companies of India, over the management of which the Government must necessarily exercise supervision and control.

16. This question is quite distinct from the various other points raised in connection with the management of Railway Telegraphs in this country, and I trust I shall be excused for again urging upon you the necessity for an early authoritative ruling to permit of the enforcement of such uniform rules for the interchange of messages, that the public shall obtain full advantage from lines all of which have virtually been constructed with public money. These rules, I may repeat, have already been carefully considered by Government, they are now in force on one Railway, and if even they err somewhat on the side of liberality (as they certainly do, compared with the present English practice), I strongly recommend their immediate application to the whole Railway system of India.

* As a testimony to the superiority of the work done by a State Telegraph over that performed by Railway Companies, of the greater usefulness of the former in a public point of view, and of the necessity of treating the Railway systems as adjuncts only to the State Telegraphs, I quote an extract from the last Report of Mr. Scudamore to the Postmaster General on the working of the Telegraphs of Great Britain, which applies with peculiar force to India.

Speaking of the comparative insignificance of the public telegraph traffic of the English Railway Companies, Mr. Scudamore writes—

"This is not only because the position of the Railway Stations is, and always has been, unfavourable to the development of telegraphic traffic, it is also because at Railway Stations the attendance for telegraphic work is uncertain, because messages on Railway business have priority over the public messages, and because the means of transmission, though ample for the wants of the Railway Companies, are not sufficient to secure such a rapid despatch of public messages as is secured to them on the postal wires. The Railway Telegraph Stations are no more than an adjunct, but, of course, a useful adjunct, to the system."

No 1103

Railway

Proceedings of the Madras Government, Public Works Department,
10th April 1873.

Order No. 1, 10th April 1873, No. 1,103
RAILWAY, No. 201
Communication to the Consulting Engineer, who will ascertain whether the Railway Agents have any objections to the proposals contained in these papers, and will submit his own views on the question, the result of the previous consideration of which is recorded with the undermentioned Proceedings:-

- G.O. No. 476, dated 4th September 1862.
 - " " 2,734, " 23rd July 1868.
 - " " 3,170, dated 8th October 1868.
 - " " 1,781, dated 18th April 1871.
 - " " 2,310, " 11th September 1871.
- (Treg. Extract.)

Colonel, R.E.
Secretary to Government.

To the Consulting Engineer for Railways,
with copy of G.O. No. 3,170, dated 8th Oct. 1868.

Ed. S. T. Austin.

Communicated
to the Consulting Engineer,
who will ascertain
whether the Railway
Agents have any objections
to urge against the
proposals contained
in these papers and
will submit his own
views on the question,
the result of the previous
consideration of which
is recorded with the
undermentioned Pro-
ceedings.

The C.E. for Rgs. with copy of G.O.
3170 of 8th Oct. 1868.
Recd. 17/4/73.

G.O. 476 d/4 Sep. 1862
 2352 23 July 1868.
 3170 8 Oct. 1868.
 2310 11 Sep. 1871

Emm

Handwritten text, likely bleed-through from the reverse side of the page. The text is mostly illegible due to the quality of the scan and the angle of the handwriting.

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1/2 1873
Govt. of 1873 Madras.
PUBLIC WORKS.

The Cementing Cuts
for Railways

1 1/2
2 1/2
16 1/2 1103.

No. 2304231

Telegraph. Telegram
The Public India Corporation
Minister of the Government of India
The Hon. Secretary of the
Companies Commission
Telegraph. Telegram
Complete with the Public
Works of the Government
of India on the subject,
and the same with
instructions.

1-230-31