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MADRAS RECORD OFFICE

Government of Madras

Public works DEPARTMENT

G.O. No.	1827	Press
B.P. No.		Mis.
278-877		
Dated	16. 7.	1873.

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

No. 298. Read the following Proceedings of the Madras Government, dated
12th June 1873, No. 932, Judicial Department :—

ABSTRACT.—Passing orders on the Rules for working divided trains on steep
inclines of the Madras Railway.

No. 299. ORDER THEREON, 16th July 1873, No. 1,827.

RAILWAY, No. 34.

As the Rules, submitted by the
Consulting Engineer for Railways, with
his letter, No. 101, dated 13th February
1873, for the guidance of Engine Drivers and Guards when it is found necessary
to divide trains in ascending ghauts or steep inclines, are not inconsistent with
any general Rule or Regulation of the Madras Railway which has been duly sanc-
tioned, His Excellency the Governor in Council authorizes their adoption after
the Agent is satisfied that all officers and persons concerned have not only had
notice of them, but are bound by the terms of their service to obey all Rules
framed by the Company or its authorized Agents for the safety of the public.

(True Extract.)

(Signed) G. W. WALKER, Colonel, R.E.,

Secretary to Government.

To the Consulting Engineer for Railways.

Exd. W. H. French.

Spare Copies.

Proceedings of the Madras Government, Judicial Department,

12th June 1873.

No. 60. Read the following letter from Colonel C. H. DICKENS, R.A., Secretary to the Government of India, Public Works Department (Railways), to Colonel G. W. WALKER, R.E., Secretary to Government, Public Works Department, Fort St. George, dated Fort William, 10th April 1873, No. 595-G. R:—

I am directed to acknowledge the receipt of your letter, No. 772, dated 11th March 1873, forwarding, for the sanction of the Governor-General in Council and for publication in the *Gazette of India*, Rules for the working of divided trains on steep inclines of the Madras Railway.

2. In reply I am to state that, as these Rules do not appear to be inconsistent with any existing general Rule or Regulation of the Madras Railway which has been duly sanctioned, they do not require the express sanction of the Governor-General in Council or publication in the *Gazette of India*. By Section 29 of Act XVIII. of 1854 as amended by Act XXV. of 1871 the same penalty is attached to the endangerment of the safety of any person by a breach of a sanctioned general Regulation as follows on the breach of any Rule or order not inconsistent with the general Regulations. The law thus enables the local authorities to make and enforce any Rules not inconsistent with the general Regulations which are imposed on all Railways in the general interest of the public, and the disposal of the matter under reference is, therefore, left to the Government of Madras.

Referred to the Judicial Department with the papers which led to the reference to the Government of India, in order to such action being taken in that department as may be deemed necessary to give the Rules legal force.

(Signed) G. W. WALKER, Colonel, R.E.,
Secretary to Government, P. W. D.

22nd April 1873.

No. 61. ORDER THEREON, 12th June 1873, No. 932.

The Governor in Council observes that no action appears to be necessary in the Judicial Department in order to give legal force to the Rules for working divided trains on steep inclines.

2. Sections 26 and 29 of Act XVIII. of 1854 as amended by Act XXV. of 1871 provide that Railway Companies shall make general Rules and Regulations for working their lines; that such Rules, &c., when sanctioned by the Governor-General in Council shall be published in the *Gazette of India* and otherwise notified to the officers and persons concerned or affected; and that any officer or person who endangers the safety of any person by

(1.) Disobeying any such sanctioned and notified general Rule or Regulation; or

(2.) By disobeying any Rule or order not inconsistent with such general Rules and Regulations, and which he was bound by the terms of his service to obey, and of which he had notice; or

(3.) By any rash or negligent act of omission, shall be liable to three years' imprisonment or Rupees 500 fine, or both.

3. The Government of India point out that, as the special Rules now proposed do not appear to be inconsistent with the duly sanctioned general Rules and

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12th June 1873.*

Regulations of the Madras Railway, they come under the (2) provision above quoted, and do not require special sanction and notification but can be enforced by the local authorities.

4. All that would seem to be necessary in the matter is that this Government should satisfy itself in the Public Works Department that the special Rules in question are perfectly consistent with the general Rules which have been sanctioned and published by the Government of India, and that all necessary steps have been taken to ensure that all officers and persons concerned have had notice of them, as it might be necessary to establish these two points before the Court in the event of any criminal prosecution for breach of the Rules. To this end the Rules will be published in the *Fort St. George Gazette*.

5. It is presumed that the "terms of service" of all Railway officials and servants bind them to obey all Rules framed by the Company or its authorized Agents for the safety of the public.

Rules for the guidance of Engine Drivers and Guards when it is found necessary to divide Trains in ascending Ghauts or Steep Inclines.

When the weather is unfavourable, or when from any other cause an Engine Driver has reason to apprehend a difficulty in ascending a ghaut with his full load, he is to make such arrangements as may be considered necessary in consultation with the Station Masters and Locomotive Foremen at Salem, Jolarpett, or Tirupetty, and the Station Master at Palghaut or Congeecoode, according to the nature of each particular case, but as far as it is possible to judge the load must be limited so as to avoid all risk of the necessity of parting the train on the road.

2. No train, nor part of a train, must ascend a ghaut without a brake van attached as the last vehicle thereof and a Guard in charge. No train, nor part of a train, must ascend a ghaut without at least one brake van or brake carriage to every five passenger vehicles or to every ten goods wagons, and a Guard or Brakesman in charge of each such brake vehicle. The brake power must be distributed as equally as possible over the train, the first brake being separated from the engine by a number of vehicles equal to its proportion of the total load.

3. Every train working up the Coopum, Salem, Coimbatore, and Ballypully Ghauts shall be accompanied by a Travelling Porter in addition to the regular Guards of the train.

4. The loads of engines are limited according to the gradient of the various portions of the line so as to obviate the necessity of dividing a train, excepting under very exceptional circumstances, and the Engine Driver must in all cases satisfy himself that it is impossible to take his whole train up an incline before he decides on dividing it. On being satisfied as to the necessity of parting his train the Driver must communicate with the Guard, and the following instructions must be strictly acted up to. The Guard must detach such number of vehicles as may best divide the load, but must on no account depart from the Regulations laid down in Clause 2 of these Rules although their observance may render necessary an unequal division of the train.

5. The first portion of the train must be taken up the ghaut and placed in the nearest siding above the ghaut. At Ballypully the Engine Driver must invariably take the first part of his train along the main line till he clears the northern

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12th June 1873.*

points of the siding, when he must back it through the siding up to the standing buffers of the *lay-by* when empty or up against the vehicles therein when any are there. The Engine Driver must also invariably, both when going for the rear portion of his train and returning with it, run through the northern points of the siding. The Guard in charge will be held responsible that the brakes of all goods wagons are let down and pinned down *tight*, and that the brakes of his own and every other van on the portion of the train in his charge are tightly screwed down and secured before the engine is detached. Similar precautions must also be taken by the Guard should the train from any cause come to a stand-still before reaching the siding at the top of the ghaut, and, in case of the breakage of a coupling, the Guard must immediately screw his own brake down tight and proceed at once to pin down the wagon brakes.

6. The Chief Guard will remain in charge of the portion of the train left behind. He will be responsible that the carriages, &c., are protected in the manner provided for in Rule 41, printed at page 80 of the Company's Working Time Table, and upon the return of the engine will see that the portion of the train under his charge is properly attached, and on arrival at the top of the ghaut will take care that it is left on the main line *clear of the siding* and that the first part of the train is taken out and properly coupled on to it. Before detaching the engine both before ascending the ghaut and on arrival at the top the Chief Guard must be very careful to secure his vehicles by screwing down his own brake, and must see that all van and carriage brakes are screwed down and all wagon brakes pinned down *tight*, in order to prevent any risk of their running back when the engine is uncoupled.

7. The Engine Driver before taking up the first portion of his train must carefully note the position in which he leaves the remainder, and must exercise great caution in returning for it by keeping his engine at all times under perfect control so as to avoid moving the vehicles previous to attaching. The Chief Guard must take care that proper signals are shown in front of his vehicles for the guidance of the Driver.

8. In ascending inclines the whole of the Guards must keep a sharp look-out and be always on the alert and prepared to apply their brakes. In case of any portion of the train breaking away the Guards of the rear portion must immediately apply their brakes, and, when the train is brought to a stand-still after screwing his brake down tight, each Guard must pin down the brakes of such wagons as may be in front of his van, beginning at the wagon nearest thereto, and must then protect the train, or portion of train, by exhibiting the proper signals in both directions. It will be the duty of the Guard in charge of each part of the train to satisfy himself that the brakes of all the vehicles under his charge as well as that of his own van are in good working order.

(By order of the Right Honourable the Governor in Council.)

Thurston
for Chief Secretary.

To the Public Works Department.

Exd. A. S. Rodgers.

No 1827 Printed at Bath
Pres. of the Mat. & Sp. 7. E.
Recd. the following:

Pres. R. Fork. Inst. Rept. (125) No. 932 8/12 June 73/.

No. 101
the Rules sub-
mitted by the Consulting
Engineer for Railways
with his letter No. 101 dated
13th February 1873 for the
guidance of Engine Drivers
and guards when it is
found necessary to divide
trains in ascending shafts
or steep inclines are not
inconsistent with any
general rule or Regula-
tion of the attached
Railway which has
been duly sanctioned,
His Excellency the
Governor in Council
authorizes their adoption
after the Agent is satis-
fied that all Officers

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Henry Ford and family

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The Congress
for Railways
Sept 25/77

No. 36/2 :

Govt. of Madras

PUBLIC WORKS.

Resolving
for Railways

18 July 1827.

No. 2388 299

Rules for dividing trains.

Authorizing the adoption
of the rules, submitted by the
Engineers, for the guidance
of Engine Drivers & Guards
when it is found necessary
to divide trains in ascending
grades or steep inclines of
the Madras Railway.