(1) பக்கங்களின் எண்ணிக்கை 26

(2) புதுக்கித் திருப்பிய நாள் அக்டோபர் 1988

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

பொதுப்பணித் துறை

அரசாணை எண். 2/27 W

மு. கோப்புத் தாள் எண்.

அச்சகம்
பலவகை

நாள் : 28.8.1889.

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மடிக்கவோ கண்டபடி கையாளவோ கூடாது

ஆவண. கா-1—18,006—15-6-87.

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GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Civil Works.

READ—the following paper :—

Proceedings of the Government of India, Public Works Department (Civil Works —Telegraph), dated Simla, 14th August 1884, No. 203 T.

Revised Form of License for Telephone Companies in India.

Read—

Despatch from Her Majesty's Secretary of State for India, No. 26, dated 13th September 1883, and enclosures.

Public Works Department Resolution No. 303 T., dated 25th October 1883.

Observations—

His Excellency the Governor-General in Council is pleased to publish, for general information, the revised form of license for the working of telephones in India referred to in paragraphs II and V of Public Works Department Resolution, No. 303 T, of 25th October 1883.

FORM OF LICENSE FOR A TELEPHONE EXCHANGE.

In exercise of the powers conferred by section 4 of the Indian Telegraph Act, 1876 (Act I of 1876), the Governor-General of India in Council, herein referred to as the Governor-General in Council, is pleased to grant the following license to the _____

_____

_____

Telephone Exchange Company (hereinafter referred to as "the Licensees").

2. The Licensees may establish and maintain Telephones, Telephone Exchanges and open Telephone Offices for a term of _____ years from the _____ day of _____ 188 , within the following limits, namely,
(*here set out the limits*)

_____

_____

_____

_____

_____

3. The Licensees may establish and maintain for that term Telephone wires connecting—

(*a*) the Central Exchange of the Licensees with the District Exchanges of the Licensees;

(*b*) the Offices of subscribers within the said limits with a Telephone Exchange of the Licensees;

(*c*) the open Telephone Offices of the Licensees with a Telephone Exchange of the Licensees;

(*d*) with the permission in writing of the Governor-General in Council, a Telephone Exchange of the Licensees with the office of a subscriber situated beyond the said limits;

(*e*) with the permission in writing of the Director-General of Telegraphs in India, a Telephone Exchange of the Licensees with a Government Telegraph Office within the said limits.

4. When the Licensees have in accordance with the provisions of this license established a Telephone Exchange within the said limits, they may establish, maintain and let on lease, for the said term or any part thereof, private telephone wires connecting the office of any person situated within the said limits with another office of the same person or with the office of any other person situated within those limits or, with the permission in writing of the Governor-General in Council, with another office of the same person or with the office of any other person situated beyond those limits.

5. The Licensees may use and work the said Telephones, Telephone Exchanges, open Telephone Offices, Telephone wires and private Telephone wires and suffer the same to be used and worked for the following purposes, namely,—

(*a*) for the purpose of enabling Telephone messages to be transmitted direct as follows, namely,—

(1) from or to any Subscriber at an Office occupied by him, either to or from any other subscriber at an office occupied by him, or to or from any person at an open Telephone Office,

(2) in pursuance of the Telegram Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force, from or to any Telegram Subscriber at an office occupied by him to or from a Government Telegraph Office,

(3) in pursuance of the Agency Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force, from or to any Agency Subscriber at an office occupied by him to or from a Telephone Exchange.

(4) in the case of private Telephone wires, from or to any lessee of the same at one of the offices with which the private Telephone wire is connected to or from the other of those offices:

Provided that such messages relate only to the business or private affairs of such subscribers or lessees, or one of them; and

(*b*) for the purpose of transmitting in either direction between a Telephone Exchange and any other Telephone Exchange or the Office of any Subscriber or any open Telephone Office, or a Government Telegraph Office or between the offices with which a private Telephone wire is connected, service messages relating to the establishment from time to time of Telephonic connections by means of the said Telephone Exchanges or the said private Telephone wire, or to the working or repair of the said Telephones, Telephone Exchanges, open Telephone Offices, Telephone wires or private Telephone wires.

6. The licensees shall, within a period of 180 days next following the date on which this license is granted, establish in working order at least one Telephone Exchange within the said limits, and, if they fail so to do, this license shall become revocable by the Governor-General in Council.

7. This license shall not confer on the Licensees any right to lay or place any supports, wires or other Telephone apparatus or appliances in or over, upon or under, any land, ground, street, road, harbour, foreshore, river or place within the said limits, but any permission for

52/2127

that purpose required by the Licensees shall be obtained by them at their own expense from the person or persons, body or bodies corporate, legally entitled to grant the same.

8. This license cannot be assigned, transferred or otherwise disposed of, and in the event of any attempt being made on the part of the Licensees to assign, transfer or dispose of the same, or of any order being made by any Court for winding up the Company of the Licensees, or of any resolution being passed by the Company of the Licensees requiring it to be wound up voluntarily, or of the dissolution of the Company of the Licensees by any means whatsoever, this license shall *ipso facto* cease and determine.

9. (*a*) The Governor-General in Council may at any time, by twelve months' previous notice in writing, terminating on the

day of 189
day of 189
or the day of 189

signify to the Licensees his intention to purchase the undertaking in respect of which this license is granted.

(*b*) If any such notice is given, the Licensees shall sell and convey to the Government the said undertaking, including all immovable property and all rights in, over or in respect of the same, and all plant, material, apparatus and appliances, suitable to and used by them for the purposes of the said undertaking.

(*c*) The price to be paid by the Governor-General in Council for such purpose shall be the then value of the property rights, plant, material, apparatus and appliances mentioned in clause (*b*), exclusive of any allowance for past or future profits of the undertaking or goodwill, or any compensation for compulsory sale or withdrawal of the present concession or other consideration whatsoever, and shall be determined by two arbitrators—one to be appointed by the Governor-General in Council and one by the Licensees, and in a case of a difference of opinion by an umpire, to be appointed by the arbitrators before they enter on the business of the reference.

(*d*) In the event of any such purchase, the Governor-General in Council may revoke the license hereby granted.

10. This license is granted subject to the conditions set forth in the first schedule hereto annexed, and shall be revocable by the Governor-General in Council on the breach of any of those conditions.

11. It shall be in the absolute discretion of the Governor-General in Council to grant or refuse to the Licensees the privilege of connecting their Telephonic circle with any other circle; but in the event of such privilege being granted the trunk line will in all cases be erected, maintained and owned by the Government and let to the Licensees at such rent and on such conditions as the Governor-General in Council may, from time to time, determine.

12. Nothing in this license shall confer upon the Licensees any exclusive right or privilege or prevent the Governor-General in Council from doing through his own servants, or granting a license to any other person or body corporate to do, anything which the Licensees are authorised to do by or under this license.

13. All words and phrases used in this license and in the first schedule hereto annexed shall, unless there is something repugnant in the subject or context, be construed in accordance with the definitions and rules contained in the second schedule hereto annexed.

Secretary to the Government of India,
Public Works Department.

Dated the *day* *of* 188 .

FIRST SCHEDULE.

Conditions of the License.

1. The Licensees shall not establish or maintain any Telephones, Telephone Exchanges, open Telephone Offices, Telephone wires, or private Telephone wires, except as permitted by their license.

2. The Licensees shall not use or work any Telephone, Telephone Exchange, open Telephone Office, Telephone wires, or private Telephone wire established or maintained by them, or suffer the same to be used or worked, except for the purposes specified in their license.

3. (1) The Licensees shall pay to the Director-General of Telegraphs in India, herein referred to as the Director-General, on account of the *Government of India*, the percentages specified in

the third clause of this condition (and hereinafter called royalties) of all sums of money paid or by virtue of any contract payable to them by any subscriber, lessee or other person—

(*a*) in respect of the hire, maintenance, working or use of any Telephone, Telephone Exchange, open Telephone Office, Telephone wire or private Telephone wire or any part or parts thereof;

(*b*) in respect of the right or permission to transmit Telephonic messages by means of any Telephone, Telephone Exchange, open Telephone Office, Telephone wire or private Telephone wire; or,

(*c*) in respect of any services rendered to a subscriber under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force; or,

(*d*) otherwise in respect of Telephonic messages transmitted by means of any Telephone, Telephone Exchange, open Telephone Office, Telephone wire or private Telephone wire, or otherwise howsoever in relation to any Telephone, Telephone Exhange, open Telephone Office, Telephone wire or private Telephone wire, or any part or parts thereof, established under their license.

(2) The royalties shall be payable whether the sum of money is a gross sum or is payable periodically, or is paid in the shape of a fee for the temporary use of any Telephone Exchange or Telephone by means of an open Telephone Office, or is paid in the shape of rent, for the lease of any private Telephone wire.

(3) The royalties shall be 5 per cent. of the gross amount of every sum of money paid or payable to the Licensees as aforesaid, except when that sum is payable wholly or partly in respect of a Telephone wire or private Telephone wire situate partly beyond the limits specified in the license, in which case the royalty shall be 6 per cent.

4. Every royalty payable under the last foregoing condition shall become due so soon as the sum of money in respect of which it is payable, or by the amount of which it is regulated, is paid or is by virtue of any contract payable to the Licensees.

5. (1) The Licensees shall, at all times, keep at their principal office within the limit specified in their license a book or books in which they shall, so far as may be practicable, enter—

(*a*) the names, addresses and occupations of all subscribers and lessees for the time being;

(*b*) the sums of money from time to time paid, and agreed to be paid, respectively, by those subscribers and lessees or by any other persons in respect of any of the matters specified in condition 3;

(*c*) the date at which every such sum of money was paid or became payable;

(*d*) the nature of the consideration for the payment thereof; and

(*e*) all such other particulars as the Director-General may, from time to time, reasonably require.

(2) The Licensees shall preserve at their principal office, as aforesaid, all contracts between the Licensees and subscribers or lessees.

(3) The Licensees shall permit the Director-General and his officers, from time to time, and at all reasonable times, to inspect the said book or books and contracts, and to make copies thereof and extracts therefrom.

6. The Licensees shall, within seven days after the expiration of every calendar month, render to the Director-General a statement in writing showing—

(*a*) the amounts of all sums of money which, during the month, have been paid, or become payable, by subscribers or lessees or other persons;

(*b*) the names, so far as may be practicable, of the subscribers or lessees or other persons in each case;

(*c*) the date on which every such sum of money was paid, or became payable;

(*d*) the nature of the consideration for the payment thereof; and

(*e*) such further particulars as the Director-General may, from time to time, reasonably require.

7. (1) All accounts beetween the Director-General and the Licensees relating to the royalties payable hereunder shall be settled quarterly up to the 31st day of March, the 30th day of June, the 30th day of September and the 31st day of December in every year.

(2) The accounts for each quarter of a year shall be rendered by the Licensees to the Director-General within fourteen days after the expiration of the quarter.

(3) The balance due to the Director-General in respect of any quarter of a year shall be paid by the Company to the Director-General within twenty-eight days after the expiration of that quarter.

8. If a Telephone Exchange of the Licensees is, with the permission of the Director-General, connected with a Government Telegraph Office, for the purposes of the Telegram Subscription Rules made under the Indian Telegraph Act, 1876,—

(*a*) the wires and apparatus by means of which the Telephone Exchange is connected with the Telegraph Office, including the instruments placed in the Telegraph Office, and all wires and apparatus either in substitution therefor or in addition thereto by which connection is, for the time being, made, shall be maintained by the Licensees at their own cost; and

(*b*) the wires and apparatus shall be appropriated for the exclusive use of the Director-General, but shall remain the property of the Licensees, and shall at all times be maintained in efficient working order by the Licensees:

Provided that, if in the opinion of the Director-General or any of his officers the wires and apparatus are or become insufficient for the due and expeditious transmission of the communications sent to or from the subscribers, the Licensees shall, after receiving a notice in writing from the Director-General so to do, forthwith erect and appropriate in the manner aforesaid such additional wires and apparatus between the Telegraph Office and the Telephone Exchange as the Director-General or his officers may deem necessary, and as may be specified in such notice, and such wires and apparatus shall be erected in such a manner as the Director-General or his officers direct and approve of.

9. The Licensees shall, in the event of any of their Telephone Exchanges being connected with a Government Telegraph Office for the purposes of the Telegram Subscription Rules made under the Indian Telegraph Act, 1876, comply with all the said rules for the time being in force, and duly account for all money received under the same on account of the *Government*.

10. The Licensees shall, in the event of any of their Telephone Exchanges being utilised as an agency for the receipt and delivery of subscribers' telegrams intended for transmission or transmitted over the wires of the Government Telegraph Department under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, comply with all the said rules for the time being in force.

11. Except messages intended for transmission, or that have been transmitted over the Government Telegraph wires, under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force, no written message or messages other than oral shall be collected or delivered at any Telephone Exchange or office of the Licensees, or at the office of any subscriber or lessee.

12. No money or other valuable consideration shall, in respect of the receipt, transmission or delivery of any Telephonic message by means of any Telephone Exchange or private Telephone wire established hereunder, be, or be promised to be, paid or given to any subscriber or lessee by any person whomsoever, whether a subscriber, lessee or not.

13. The Licensees shall, in every agreement with a subscriber or lessee, make due provision for the observance of the two last foregoing conditions, and reserve to themselves the fullest discretion to rescind the agreement on any infringement by the subscriber or lessee of either of those conditions.

14. (1) The Licensees shall, seven days at least before connecting the office of any subscriber or intending subscriber with any Telephone Exchange, or an office of any lessee or intending lessee with another office of that lessee or with the office of any other person within the limits specified in their license, deliver a notice in writing of their intention so to do at the office of the Director-General, or to such officer as the Director-General may appoint to receive the notice.

(2) The notice shall contain—

(*a*) the name, address and occupation of the subscriber or lessee, or intending subscriber or lessee, to whom the notice relates;

(*b*) a copy of the engagement and condition entered into and agreed to by the subscriber or lessee under the last foregoing condition; and

(*c*) full particulars of the situation of the office or intended office to which the notice relates, and of the line or route in which it is intended to lay the Telephone wire or wires for establishing the connection, and of the manner in which, and the houses and buildings (if any) on or by means of which, it is intended that such wire or wires shall be supported.

(3) Notwithstanding anything in the foregoing portion of this condition, the Director-General may at his discretion grant permission for the connection to be established within a less period than seven days.

15. The posts and other Telephonic apparatus and appliances of the Licensees shall be so *erected* and placed as not to interfere with the convenient erection, maintenance or use of, or to expose to risk of damage, any posts, wires or other Telegraphic or Telephonic apparatus or appliances under the charge of the Director-General which may, from time to time, exist, or

any posts, wires or other Telegraphic or Telephonic apparatus or appliances which it is probable that he may have occasion to erect; and accordingly no posts, wires or other Telephonic apparatus or appliances shall be erected, fixed or placed by the Licensees, in pursuance of any such notice as aforesaid or otherwise, without the approval or consent in writing of the Director-General or an officer authorised by him in that behalf.

16. In the event of any posts, wires or other Telephonic apparatus or appliances of the Licensees which may already have been erected or placed with the consent of the Director-General interfering with the erection or placing of any posts, wires or other Telegraphic or Telephonic apparatus or appliances which the Director-General may, during the continuance of the said license, have occasion to erect, the Licensees shall, within thirty days after written notice has been given at their principal office situated within the limits specified in their license, remove such posts, wires or other Telephonic apparatus or appliances to another situation approved by the Director-General; and the reasonable expenses incurred by the Licensees in the removal shall be reimbursed by the Director-General.

17. In case any Telephone wire or wires of the Licensees shall, by reason of the neglect of the Licensees to maintain the same properly fixed and in good repair, or from any other cause whatever, interfere with the working of, or damage, any Telegraph or Telephone wire or wires under the charge of the Director-General, any officer generally or specially empowered by the Director-General in this behalf may, if the Licensees do not forthwith remove their said Telephone wire or wires, or sufficiently repair and refix such wire or wires to his satisfaction, so as to prevent any further interference with, or damage to, the wires under the charge of the Director-General, or if for any other reason he thinks it necessary for the public service, remove or repair and refix such wire or wires of the Licensees as aforesaid; and the Licensees shall on demand pay to the Director-General the cost of refixing and repairing the Telegraph or Telephone wire or wires under the charge of the Director-General which shall have been interfered with, or damaged, as aforesaid, and the cost of any removal or repair and refixing by such officer of their said wire or wires.

18. The Director-General and his officers and agents may, from time to time, and at all reasonable times, enter on any office of the Licensees and, so far as the Licensees can give permission, on any subscriber's or lessee's office, for the purpose of inspecting the Telephones and other Telephonic instruments and appliances fixed in those places.

19. The Licensees shall not move their Telephone Exchanges without the previous consent in writing of the Director-General.

SECOND SCHEDULE.

Interpretation.

(1) "Subscribers" means those companies, firms and persons from whom the Licensees receive subscriptions, and with whom they enter into contracts in relation to connecting their offices by means of Telephone wires with a Telephone Exchange.

(2) "Lessees" means those companies, firms and persons, whether subscribers or not, to whom the Licensees lease any private Telephone wire established by them.

(3) "Office" whether used with reference to the licensees, a subscriber, a lessee or any other person, includes any house, warehouse, factory, building, vessel or place occupied by the licensees, subscriber, lessee or other person.

(4) "Telephone" includes any apparatus by means of which any articulate sounds can be conveyed to a distance by the agency of electricity, galvanism or magnetism.

(5) "Telephone Wire" includes any metallic connection between two Telephones or between one Telephone and a Telephone Exchange.

(6) "Telephone Exchange" means any contrivance, instrument, apparatus or appliance to which two or more "Telephone Wires" may be attached, and which is used for the purpose of temporarily establishing from time to time, as occasion may require, a direct connection between any two of such Telephone wires, and includes a "Central Telephone Exchange" and a "District Telephone Exchange."

(7) "Central Telephone Exchange" means either the only Telephone Exchange belonging to the Licensees within the limits specified in their license, or, if more than one Telephone Exchange is established by the Licensees within those limits, the central or principal apparatus with which one or more District Telephone Exchanges may be connected.

(8) "District Telephone Exchange" means a Telephone Exchange other than a Central Telephone Exchange with which two or more subscribers' offices are connected by means of Telephone wires, and which itself is connected by means of one or more Telephone wires with a Central Exchange or with another District Exchange.

(9) "Open Telephone Office" means any building or place in or to which may be contained or attached a Telephone which is connected by means of one or more Telephone wires with a Telephone Exchange and which may be used by persons other than those hereinbefore described as "Subscribers," for communication with subscribers, and may also be used by subscribers for communication with other subscribers.

(10) "Private Telephone Wire" means a "Telephone Wire" connecting the office of one person with the office of another person, or one office of a person with another office belonging to the same person, without being itself connected with a "Telephone Exchange;" and

(11) A Telephone Exchange shall not be deemed to have been "established" until not less than ten companies, firms are persons have severally paid to the Licensees a sum of money in respect of the use of the Licensees' Exchange for a period of not less than twelve calendar months.

TELEPHONE EXCHANGE.

Telegram Subscription Rules.

Whereas a Telephone Exchange may, with the permission of the Director-General of Telegraphs in India, be connected by means of one or more Telephone wires with the Central Government Telegraph Office within the limits within which it has been established, to the intent that the subscribers may be enabled to communicate directly with that Telegraph Office; in exercise of the powers conferred by sections 7 and 8 of the Indian Telegraph Act, 1876, the Governor-General in Council is pleased to make the following rules prescribing the regulations, conditions and restrictions according to which all messages and signals communicated to a Government Telegraph office by the subscribers to a Telephone Exchange connected with a Government Telegraph Office, or received for transmission to such subscribers, shall be transmitted:—

1. These rules may be called the Telegram Subscription Rules, 1884.

2. Any subscriber to a Telephone Exchange connected as aforesaid with a Government Telegraph Office shall be entitled to communicate direct with the Telegraph Office by means of the Telephone Exchange and the connecting Telephone wires on payment to the Director-General of Telegraphs in India (herein referred to as the Director-General) of a yearly sum of sixty rupees, which shall be paid in advance on the first day of January in each year:

Provided that, if a subscriber desires to institute his direct communication with the Telegraph office on any other date than the first day of January, he shall in respect of the then current year be required to pay in advance a proportionate part only of the said sum of sixty rupees.*

3. When a telegram addressed to such a subscriber as aforesaid (herein referred to as a telegram subscriber) is received at the Telegraph Office, it shall at the discretion of the Director-General or his officers either be delivered in the manner provided in the "Rules and Tariff relating to the transmission of Telegraph Messages in India," made under the Indian Telegraph Act, 1876, and for the time being in force, or be transmitted to the telegram subscriber by means of the Telephone Exchange if it can be so transmitted with reasonable speed, and in that case the telegram subscriber shall accept such transmission in place of the delivery of the telegram in the manner provided by the aforesaid rules and tariff.

4. Telegrams received from a telegram subscriber at the Central Telegraph Office by means of the Telephone Exchange shall, at the option of the telegram subscriber, be forwarded to their destination by the Government Telegraph, or be forwarded by post as ordinary letters, or, if the address of delivery is within a reasonable distance from the Telegraph Office, by special messenger:

Provided that a telegram subscriber shall not be entitled to transmit more than one telegram at a time to the Telegraph Office by means of the Telephone Exchange, nor shall the Telephone Exchange be used for the transmission of press messages.

5. A telegram subscriber shall pay to the Director-General in respect of every such telegram forwarded from the Telegraph Office by Telegraph the same sum for transmission, Prepaid Replies, Postage, Registration and Express Charges (if any) as would be payable by the sender if the telegram had been handed in at the Central Telegraph Office as an ordinary telegram.

6. A telegram subscriber shall pay to the Director-General in respect of every such telegram forwarded from the Telegraph Office by post as a letter the ordinary postage payable on the letter.

7. A telegram subscriber shall pay to the Director-General in respect of every such telegram delivered from the Telegraph Office by special messenger a sum of two annas if the address of delivery is within the limits of the free ordinary delivery of telegrams from the Telegraph Office, and in all cases the same sum as would be payable for "Express Charges" in respect of an ordinary telegram delivered from the Telegraph Office at the same address.

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* The annual payment of sixty rupees to the Director-General is to be in consideration of the services of the Telegraphist attending to the Telephone Exchange connection in the Central Telegraph Office and of the other services to be rendered and expense to be incurred by the Director-General.

8. All sums payable by a telegram subscriber in respect of telegrams forwarded as aforesaid from the Telegraph Office shall be paid in advance by means of a deposit with the Telegraph Officer in charge of the Telegraph Office, who shall not be required to forward any such telegram unless the sum for the time being in his hands on account of the deposit is sufficient for the payment of the amount payable in respect of the telegram.

9. All accounts in respect of telegrams forwarded or delivered as aforesaid on behalf of a telegram subscriber from the Telegraph Office shall be settled monthly up to the first day of each calendar month.

10. A telegram subscriber may pay the sum payable by him to the Director-General in accordance with Rule 2 to the Licensees of the Telephone Exchange to which he is a subscriber, as the agents and on behalf of the Director-General, and the receipt of the Licensees shall be a good discharge for any sum so paid.

The said Licensees shall act as agents of the Director-General for the purpose aforesaid, and shall receive all sums which may in accordance with the said rule be tendered to them by the subscribers as such agents, and shall pay the same to the Director-General immediately on the receipt thereof or at such other times as may be agreed upon between the Director-General and the Licensees.

11. The Secretary of State in Council or the Director-General shall not be subject to any liability by reason or on account of any failure, delay or mistake in or about the transmission, receipt or delivery of any telegram under these rules, whether arising from the default of the Licensees or of any officer of the Government Telegraph, or otherwise.

12. If any sum payable under Rule 2 or any other money which is for the time being due from a telegram subscriber under these rules is in arrear or unpaid for twenty-one days after it ought to be paid, the Director-General may by notice in writing debar the subscriber from participating in the advantages of these rules from the date of the service of the notice :

Provided that the fact of a subscriber being debarred from participating in the advantages of these rules shall not affect the right of the Director-General to recover from the subscriber any money which may be in arrear and unpaid.

13. Any notice to be given by the Director-General under these rules may be signed by the Chief Officer of the Division of Telegraphs within which the Telephone Exchange with which the subscriber's office is connected is situated, and may be served by sending it by post in a registered letter to the subscriber at his office.

TELEPHONE EXCHANGE.

Agency Subscription Rules.

Whereas a Telephone Exchange may, with the permission of the Director-General of Telegraphs in India, be utilised as an agency through which subscribers' telegrams intended for transmission or transmitted over the wires of the Government Telegraph Department may be received and delivered by the officers of that department. In exercise of the powers conferred by sections 7 and 8 of the Indian Telegraph Act, 1876, the Governor-General in Council is pleased to make the following rules prescribing the regulations, conditions and restrictions according to which all messages and signals received or deliverable through the agency of any such Telephone Exchange shall be transmitted :—

1. These rules may be called the Agency Subscription Rules, 1884.

2. If a subscriber to a Telephone Exchange desires to employ the Licensees of the Telephone Exchange as his agents through whom his telegrams intended for transmission or transmitted over the wires of the Government Telegraph Department may be received or delivered by the officers of that department, he shall address the following form of request to the Director-General of Telegraphs in India (herein referred to as the Director-General) :—

"I hereby request the Director-General of Telegraphs in India, until further notice, to deliver to the Telephone Exchange Company, Limited, at their Central Telephone Exchange situated in the town of for transmission to me by means of the Telephone Exchange of that company, all telegrams addressed to me at that may be received by means of the Central Government Telegraph Office in that town, and to transmit all telegrams received from the said Company at such Government Telegraph Office as the Director-General may by order in writing appoint for transmission on my account ; and I hereby agree to pay to the Director-General the sum of twelve rupees per annum in advance on the day of in each year for the registration of special instructions to the effect abovementioned."

Signed

3. During the continuance of the period for which such a subscriber as aforesaid (herein referred to as an Agency Subscriber) is registered at the Telegraph Office as desirous of having his telegrams delivered to, and received for transmission from, the Licensees of the Telephone Exchange to which he is a subscriber, the Licensees—

(*a*) may receive messages transmitted to a Telephone attached to the exchange from the office of the subscriber and intended to be further transmitted on behalf of the subscriber by means of the Government Telegraphs, and

(*b*) may as the agents of the subscriber commit the messages to writing on appropriate messages forms to be provided by the Director-General, and

(*c*) may deliver the forms by messenger at such Government Telegraph Office as the Director-General may by order in writing appoint for that purpose, to the intent that the forms may be transmitted from the office as telegrams.

4. All charges which under the "Rules and Tariff relating to the transmission of Telegraph Messages in India" made under the Indian Telegraph Act, 1876, and for the time being in force, should be paid by the sender of a telegram shall be paid by telegraph stamps attached to the message form on which any such message as aforesaid is written before the delivery of the message form at the Telegraph Office.

5. (*a*) On the delivery by the Director-General at the office of the Licensees of a telegram addressed to any Agency Subscriber, the Licensees may transmit the telegram to the subscriber's office by means of their Telephone Exchange.

(*b*) The time at which the transmission takes place shall be entered on the message form on which the telegram was delivered at the office of the Licensees.

(*c*) All message forms delivered by the Director-General at the office of the Licensees on any day shall at the end of the same day be returned by the Licensees to the Central Telegraph Office in the town in the order in which they were delivered at the office of the Licensees.

6. The Licensees shall not retain a copy of any telegram transmitted by or to any of their subscribers under the operation of these rules.

7. In case of any breach, non-performance or non-observance by or on the part of the Licensees of any of the stipulations and conditions hereinbefore contained or contained in the aforesaid Rules and Tariff relating to the transmission of Telegraph Messages in India, the Director-General may by notice in writing revoke and determine the permission granted under these rules as from the date of the service of the notice.

8. Any notice to be given by the Director-General under these rules may be signed by the Chief Officer of the Division of the Telegraphs within which the Telephone Exchange of the Licensees is situated, and may be served by sending the same by post in a registered letter to the Licensees at their office.

Order—

Ordered, that copies of the Resolution be forwarded to the Secretary of State, with reference to His Lordship's despatch, No. 26, dated 13th September 1883; to the Departments of the Government of India and to the Local Governments and Administrations noted in the margin for information and guidance; also to the Director-General of Telegraphs for information and guidance and communication to the Agents of the several Telephone Companies in India, and to the Publisher of the *Gazette of India*, for publication in the Gazette Supplement.

The Governments of Madras, Bombay, Bengal, the North-Western Provinces and Oudh, and the Punjab, Public Works Department.
The Chief Commissioners, Central Provinces, British Burmah, Assam and Coorg.
The Resident at Hyderabad.
Do. at Mysore (through Foreign Department).
The Agents to the Governor-General for Central India, Rajputana and Biluchistan.
The Accountant-General, Public Works Department.
The Inspector-General of Military Works.
The Director-General of Railways.
The Consulting Engineers to the Government of India for Guaranteed Railways, Calcutta, Lahore, and Lucknow.
The Director-in-Chief, Indo-European Telegraph.
The Director, Persian Telegraph.
The Director, Persian Gulf Telegraph.
To the Department of Finance and Commerce.
To the Foreign, Home, Military, and Legislative Departments.
To the Department of Revenue and Agriculture.
To the Chambers of Commerce in Bengal, Madras, Bombay, Rangoon, and Karachi.

(Signed) W. S. TREVOR, Colonel, R.E.,
Secretary to the Govt. of India.

ORDER—dated 28th August 1884, No. 2127 W., Public Works.

Communicated to the officers of the Public Works Department.

(True Extract.)

Major, R.E.,
Under Secy. to Govt. P.W.D.

To the Chief Engineer for Irrigation.
" Consulting Engineer for Railways.
To Superintending Engineers.
To the Engineers-in-Chief, State Railways.
" Consulting Architect to Government.
" Examiner, Public Works Accounts.
" Do. State Railway Accounts.
" Do. Guaranteed Railway Accounts.
" Public, &c., Departments.
" Revenue Department.
" Military do.

Exd. E. Fernandez.
Spare Copies

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6

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of {1884} Madras.

PUBLIC WORKS.

Dated August, 28th.

Recd. *Encl.*

G.O., 28th Aug. 1884, No. 2127 W.

AUGUST.

Revised Form of License

Telephone Companies in India.—Resolution of the Government of India circulating —.

Re: the forms of Respect —

No. 203T.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

CIVIL WORKS.

Telegraph.

Simla, August 14, 1884.

RESOLUTION.

Revised Form of License for Telephone Companies in India.

Read—

Despatch from Her Majesty's Secretary of State for India, No. 26, dated 13th September 1883, and enclosures.

Public Works Department Resolution No. 303T., dated 25th October 1883.

OBSERVATIONS.—His Excellency the Governor General in Council is pleased to publish, for general information, the revised form of license for the working of Telephones in India referred to in paragraphs II and V of Public Works Department Resolution No. 303.T of 25th October 1883.

FORM OF LICENSE FOR A TELEPHONE EXCHANGE.

1. In exercise of the powers conferred by section 4 of the Indian Telegraph Act, 1876 (Act I of 1876), the Governor General of India in Council herein referred to as the Governor General in Council is pleased to grant the following license to the _____ *Telephone Exchange* Company (hereinafter referred to as "the Licensees").

2. The Licensees may establish and maintain Telephones, Telephone Exchanges and open Telephone Offices for a term of _____ years from the _____ day of _____ 188 , within the following limits, namely (*here set out the limits*)

3. The Licensees may establish and maintain for that term Telephone wires connecting—

(*a*) the Central Exchange of the Licensees with the District Exchanges of the Licensees;

(*b*) the Offices of Subscribers within the said limits with a Telephone Exchange of the Licensees;

(*c*) the open Telephone Offices of the Licensees with a Telephone Exchange of the Licensees;

(*d*) with the permission in writing of the Governor General in Council, a Telephone Exchange of the Licensees with the Office of a Subscriber situated beyond the said limits;

(*e*) with the permission in writing of the Director General of Telegraphs in India, a Telephone Exchange of the Licensees with a Government Telegraph Office within the said limits.

4. When the Licensees have in accordance with the provisions of this license established a Telephone Exchange within the said limits, they may establish, maintain and let on lease for the said term or any part thereof private Telephone wires connecting the office of any person situated within the said limits with another office of the same person or with the office of, any other person situated within those limits or, with the permission in writing of the Governor General in Council, with another office of the same person or with the office of any other person situated beyond those limits.

5. The Licensees may use and work the said Telephones, Telephone Exchanges, open Telephone Offices, Telephone wires and private Telephone wires and suffer the same to be used and worked for the following purposes, namely,—

(*a*) for the purpose of enabling Telephone messages to be transmitted direct as follows, namely,—

(*1*) from or to any Subscriber at an Office occupied by him, either to or from any other Subscriber at an Office occupied by him, or to or from any person at an open Telephone office,

(*2*) in pursuance of the Telegram Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force, from or to any Telegram Subscriber at an office occupied by him to or from a Government Telegraph Office,

(*3*) in pursuance of the Agency Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force, from or to any Agency Subscriber at an office occupied by him to or from a Telephone Exchange,

(*4*) in the case of private Telephone wires, from or to any lessee of the same at one of the offices with which the private Telephone wire is connected to or from the other of those offices:

Provided that such messages relate only to the business or private affairs of such subscribers or lessees, or one of them; and

(*b*) for the purpose of transmitting in either direction between a Telephone Exchange and any other Telephone Exchange or the Office of any Subscriber or any open Telephone Office, or a Government Telegraph Office or between the offices with which a private Telephone wire is connected, service messages relating to the establishment from time to time of Telephonic connections by means of the said Telephone Exchanges or the said private Telephone wire, or to the working or repair of the said Telephones, Telephone Exchanges, open Telephone Offices, Telephone wires or private Telephone wires.

6. The Licensees shall, within a period of 180 days next following the date on which this license is granted, establish in working order at least one Telephone Exchange within the said limits, and, if they fail so to do, this license shall become revocable by the Governor General in Council.

7. This license shall not confer on the Licensees any right to lay or place any supports, wires or other Telephone apparatus or appliances in or over, upon or under, any land, ground, street, road, harbour, foreshore, river or place within the said limits, but any permission for

that purpose required by the Licensees shall be obtained by them at their own expense from the person or persons, body or bodies corporate, legally entitled to grant the same.

8. This license cannot be assigned, transferred or otherwise disposed of, and in the event of any attempt being made on the part of the Licensees to assign, transfer or dispose of the same, or of any order being made by any Court for winding up the Company of the Licensees, or of any resolution being passed by the Company of the Licensees requiring it to be wound up voluntarily, or of the dissolution of the Company of the Licensees by any means whatsoever, this license shall *ipso facto* cease and determine.

9. (*a*) The Governor General in Council may at any time, by twelve months' previous notice in writing, terminating on the

day of 189
day of 189
or the day of 189

signify to the Licensees his intention to purchase the undertaking in respect of which this license is granted.

(*b*) If any such notice is given, the Licensees shall sell and convey to the Government the said undertaking, including all immoveable property and all rights in, over or in respect of the same, and all plant, material, apparatus and appliances, suitable to and used by them for the purposes of the said undertaking.

(*c*) The price to be paid by the Governor General in Council for such purchase shall be the then value of the property rights, plant, material, apparatus and appliances mentioned in clause (*b*), exclusive of any allowance for past or future profits of the undertaking or goodwill, or any compensation for compulsory sale or withdrawal of the present concession or other consideration whatsoever, and shall be determined by two arbitrators—one to be appointed by the Governor General in Council and one by the Licensees, and in a case of a difference of opinion by an umpire, to be appointed by the arbitrators before they enter on the business of the reference.

(*d*) In the event of any such purchase, the Governor General in Council may revoke the license hereby granted.

10. This license is granted subject to the conditions set forth in the first schedule hereto annexed, and shall be revocable by the Governor General in Council on the breach of any of those conditions.

11. It shall be in the absolute discretion of the [illegible] Council to grant or refuse to the Licensees the privilege of connecting their Telephonic circle with any other circle; but in the event of such privilege being granted the trunk line will in all cases be erected, maintained and owned by the Government and let to the Licensees at such rent and on such conditions as the Governor General in Council may, from time to time, determine.

12. Nothing in this license shall confer upon the Licensees any exclusive right or privilege or prevent the Governor General in Council from doing through his own servants, or granting a license to any other person or body corporate to do, anything which the Licensees are authorized to do by or under this license.

13. All words and phrases used in this license and in the first schedule hereto annexed shall, unless there is something repugnant in the subject or context, be construed in accordance with the definitions and rules contained in the second schedule hereto annexed.

Secretary to the Government of India,

Public Works Department.

Dated the *day* *of* 188 .

FIRST SCHEDULE.

Conditions of the License.

1. The Licensees shall not establish or maintain any Telephones, Telephone exchanges, open Telephone offices, Telephone wires, or private Telephone wires, except as permitted by their license.

2. The Licensees shall not use or work any Telephone, Telephone exchange, open Telephone office, Telephone wire or private Telephone wire established or maintained by them, or suffer the same to be used or worked, except for the purposes specified in their license.

3. (*1*) The Licensees shall pay to the Director-General of Telegraphs in India, herein referred to as the Director-General, on account of the *Government of India*, the percentages specified in the 3rd clause of this condition (and hereinafter called royalties) of all sums of

money paid or by virtue of any contract payable to them by any subscriber, lessee or other person—

(*a*) in respect of the hire, maintenance, working or use of any Telephone, Telephone exchange, open Telephone office, Telephone wire or private Telephone wire, or any part or parts thereof;

(*b*) in respect of the right or permission to transmit Telephonic messages by means of any Telephone, Telephone exchange, open Telephone office, Telephone wire or private Telephone wire; or,

(*c*) in respect of any services rendered to a subscriber under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force; or,

(*d*) otherwise in respect of Telephonic messages transmitted by means of any Telephone, Telephone exchange, open Telephone office, Telephone wire or private Telephone wire, or otherwise howsoever in relation to any Telephone, Telephone exchange, open Telephone office, Telephone wire or private Telephone wire, or any part or parts thereof, established under their license.

(*2*) The royalties shall be payable whether the sum of money is a gross sum or is payable periodically, or is paid in the shape of a fee for the temporary use of any Telephone exchange or Telephone by means of an open Telephone office, or is paid in the shape of rent for the lease of any private Telephone wire.

(*3*) The royalties shall be 5 per cent. of the gross amount of every sum of money paid or payable to the Licensees as aforesaid, except when that sum is payable wholly or partly in respect of a Telephone wire or private Telephone wire situate partly beyond the limits specified in the license, in which case the royalty shall be 6 per cent.

4. Every royalty payable under the last foregoing condition shall become due so soon as the sum of money in respect of which it is payable, or by the amount of which it is regulated, is paid or is by virtue of any contract payable to the Licensees.

5. (*1*) The Licensees shall, at all times, keep at their principal office within the limit specified in their license a book or books in which they shall, so far as may be practicable enter—

(*a*) the names, addresses and occupations of all subscribers and lessees for the time;

(*b*) the sums of money from time to time paid, and agreed to be paid, respectively, by those subscribers and lessees or by any other persons in respect of any of the matters specified in condition 3;

(*c*) the date at which every such sum of money was paid or became payable;

(*d*) the nature of the consideration for the payment thereof; and

(*e*) all such other particulars as the Director-General may, from time to time reasonably require.

(*2*) The Licensees shall preserve at their principal office, as aforesaid, all contracts between the Licensees and subscribers or lessees.

(*3*) The Licensees shall permit the Director-General and his officers, from time to time, and at all reasonable times, to inspect the said book or books and contracts, and to make copies thereof and extracts therefrom.

6. The Licensees shall, within seven days after the expiration of every calendar month, render to the Director-General a statement in writing showing—

(*a*) the amounts of all sums of money which, during the month, have been paid, or become payable, by subscribers or lessees or other persons;

(*b*) the names, so far as may be practicable, of the subscribers or lessees or other persons in each case;

(*c*) the date on which every such sum of money was paid, or became payable;

(*d*) the nature of the consideration for the payment thereof; and

(*e*) such further particulars as the Director-General may, from time to time, reasonably require.

7. (*1*) All accounts between the Director-General and the Licensees relating to the royalties payable hereunder shall be settled quarterly up to the 31st day of March, the 30th day of June, the 30th day of September and the 31st day of December in every year.

(*2*) The accounts for each quarter of a year shall be rendered by the Licensees to the Director-General within fourteen days after the expiration of the quarter.

(*3*) The balance due to the Director-General in respect of any quarter of a year shall be paid by the Company to the Director-General within twenty-eight days after the expiration of that quarter.

8. If a Telephone exchange of the Licensees is, with the permission of the Director-General, connected with a Government Telegraph office, for the purposes of the Telegram Subscription Rules made under the Indian Telegraph Act, 1876,—

(*a*) the wires and apparatus by means of which the Telephone exchange is connected with the Telegraph office, including the instruments placed in the Telegraph office, and all wires and apparatus either in substitution therefor or in addition thereto by which connection is, for the time being, made, shall be maintained by the Licensees at their own cost; and

(*b*) the wires and apparatus shall be appropriated for the exclusive use of the Director-General, but shall remain the property of the Licensees, and shall at all times be maintained in efficient working order by the Licensees:

Provided that, if in the opinion of the Director-General or any of his officers the wires and apparatus are or become insufficient for the due and expeditious transmission of the communications sent to or from the subscribers, the Licensees shall, after receiving a notice in writing from the Director-General so to do, forthwith erect and appropriate in the manner aforesaid such additional wires and apparatus between the Telegraph office and the Telephone exchange as the Director-General or his officers may deem necessary, and as may be specified in such notice, and such wires and apparatus shall be erected in such a manner as the Director-General or his officers direct and approve of.

9. The Licensees shall, in the event of any of their Telephone exchanges being connected with a Government Telegraph office for the purposes of the Telegram Subscription Rules made under the Indian Telegraph Act, 1876, comply with all the said rules for the time being in force, and duly account for all money received under the same on account of the *Government*.

10. The Licensees shall, in the event of any of their Telephone exchanges being utilized as an agency for the receipt and delivery of subscribers' telegrams intended for transmission or transmitted over the wires of the Government Telegraph Department under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, comply with all the said rules for the time being in force.

11. Except messages intended for transmission, or that have been transmitted over the Government Telegraph wires, under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force, no written message or messages other than oral shall be collected or delivered at any Telephone exchange or office of the Licensees, or at the office of any subscriber or lessee.

12. No money or other valuable consideration shall, in respect of the receipt, transmission or delivery of any Telephonic message by means of any Telephone exchange or private Telephone wire established hereunder, be, or be promised to be, paid or given to any subscriber or lessee by any person whomsoever, whether a subscriber, lessee or not.

13. The Licensees shall, in every agreement with a subscriber or lessee, make due provision for the observance of the two last foregoing conditions, and reserve to themselves the fullest discretion to rescind the agreement on any infringement by the subscriber or lessee of either of those conditions.

14. (*1*) The Licensees shall, seven days at least before connecting the office of any subscriber or intending subscriber with any Telephone exchange, or an office of any lessee or intending lessee with another office of that lessee or with the office of any other person within the limits specified in their license, deliver a notice in writing of their intention so to do at the office of the Director-General, or to such officer as the Director-General may appoint to receive the notice.

(*2*) The notice shall contain—

(*a*) the name, address and occupation of the subscriber or lessee, or intending subscriber or lessee, to whom the notice relates;

(*b*) a copy of the engagement and condition entered into and agreed to by the subscriber or lessee under the last foregoing condition; and

(*c*) full particulars of the situation of the office or intended office to which the notice relates, and of the line or route in which it is intended to lay the Telephone wire or wires for establishing the connection, and of the manner in which, and the houses and buildings (if any) on or by means of which, it is intended that such wire or wires shall be supported.

(*3*) Notwithstanding anything in the foregoing portion of this condition, the Director-General may at his discretion grant permission for the connection to be established within a less period than seven days.

15. The posts and other Telephonic apparatus and appliances of the Licensees shall be so *erected* and placed as not to interfere with the convenient erection, maintenance or use of, or to expose to risk of damage, any posts, wires or other Telegraphic or Telephonic apparatus or appliances under the charge of the Director-General which may, from time to time, exist, or any posts, wires or other Telegraphic or Telephonic apparatus or appliances which it is probable that he may have occasion to erect; and accordingly no posts, wires or other Telephonic

money paid or by virtue of any contract payable to them by any subscriber, lessee or other person—

(*a*) in respect of the hire, maintenance, working or use of any Telephone, Telephone exchange, open Telephone office, Telephone wire or private Telephone wire, or any part or parts thereof;

(*b*) in respect of the right or permission to transmit Telephonic messages by means of any Telephone, Telephone exchange, open Telephone office, Telephone wire or private Telephone wire; or,

(*c*) in respect of any services rendered to a subscriber under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force; or,

(*d*) otherwise in respect of Telephonic messages transmitted by means of any Telephone, Telephone exchange, open Telephone office, Telephone wire or private Telephone wire, or otherwise howsoever in relation to any Telephone, Telephone exchange, open Telephone office, Telephone wire or private Telephone wire, or any part or parts thereof, established under their license.

(*2*) The royalties shall be payable whether the sum of money is a gross sum or is payable periodically, or is paid in the shape of a fee for the temporary use of any Telephone exchange or Telephone by means of an open Telephone office, or is paid in the shape of rent for the lease of any private Telephone wire.

(*3*) The royalties shall be 5 per cent. of the gross amount of every sum of money paid or payable to the Licensees as aforesaid, except when that sum is payable wholly or partly in respect of a Telephone wire or private Telephone wire situate partly beyond the limits specified in the license, in which case the royalty shall be 6 per cent.

4. Every royalty payable under the last foregoing condition shall become due so soon as the sum of money in respect of which it is payable, or by the amount of which it is regulated, is paid or is by virtue of any contract payable to the Licensees.

5. (*1*) The Licensees shall, at all times, keep at their principal office within the limit specified in their license a book or books in which they shall, so far as may be practicable enter—

(*a*) the names, addresses and occupations of all subscribers and lessees for the time;

(*b*) the sums of money from time to time paid, and agreed to be paid, respectively, by those subscribers and lessees or by any other persons in respect of any of the matters specified in condition 3;

(*c*) the date at which every such sum of money was paid or became payable;

(*d*) the nature of the consideration for the payment thereof; and

(*e*) all such other particulars as the Director-General may, from time to time reasonably require.

(*2*) The Licensees shall preserve at their principal office, as aforesaid, all contracts between the Licensees and subscribers or lessees.

(*3*) The Licensees shall permit the Director-General and his officers, from time to time, and at all reasonable times, to inspect the said book or books and contracts, and to make copies thereof and extracts therefrom.

6. The Licensees shall, within seven days after the expiration of every calendar month, render to the Director-General a statement in writing showing—

(*a*) the amounts of all sums of money which, during the month, have been paid, or become payable, by subscribers or lessees or other persons;

(*b*) the names, so far as may be practicable, of the subscribers or lessees or other persons in each case;

(*c*) the date on which every such sum of money was paid, or became payable;

(*d*) the nature of the consideration for the payment thereof; and

(*e*) such further particulars as the Director-General may, from time to time, reasonably require.

7. (*1*) All accounts between the Director-General and the Licensees relating to the royalties payable hereunder shall be settled quarterly up to the 31st day of March, the 30th day of June, the 30th day of September and the 31st day of December in every year.

(*2*) The accounts for each quarter of a year shall be rendered by the Licensees to the Director-General within fourteen days after the expiration of the quarter.

(*3*) The balance due to the Director-General in respect of any quarter of a year shall be paid by the Company to the Director-General within twenty-eight days after the expiration of that quarter.

8. If a Telephone exchange of the Licensees is, with the permission of the Director-General, connected with a Government Telegraph office, for the purposes of the Telegram Subscription Rules made under the Indian Telegraph Act, 1876,—

(*a*) the wires and apparatus by means of which the Telephone exchange is connected with the Telegraph office, including the instruments placed in the Telegraph office, and all wires and apparatus either in substitution therefor or in addition thereto by which connection is, for the time being, made, shall be maintained by the Licensees at their own cost; and

(*b*) the wires and apparatus shall be appropriated for the exclusive use of the Director-General, but shall remain the property of the Licensees, and shall at all times be maintained in efficient working order by the Licensees:

Provided that, if in the opinion of the Director-General or any of his officers the wires and apparatus are or become insufficient for the due and expeditious transmission of the communications sent to or from the subscribers, the Licensees shall, after receiving a notice in writing from the Director-General so to do, forthwith erect and appropriate in the manner aforesaid such additional wires and apparatus between the Telegraph office and the Telephone exchange as the Director-General or his officers may deem necessary, and as may be specified in such notice, and such wires and apparatus shall be erected in such a manner as the Director-General or his officers direct and approve of.

9. The Licensees shall, in the event of any of their Telephone exchanges being connected with a Government Telegraph office for the purposes of the Telegram Subscription Rules made under the Indian Telegraph Act, 1876, comply with all the said rules for the time being in force, and duly account for all money received under the same on account of the *Government*.

10. The Licensees shall, in the event of any of their Telephone exchanges being utilized as an agency for the receipt and delivery of subscribers' telegrams intended for transmission or transmitted over the wires of the Government Telegraph Department under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, comply with all the said rules for the time being in force.

11. Except messages intended for transmission, or that have been transmitted over the Government Telegraph wires, under the Agency Subscription Rules made under the Indian Telegraph Act, 1876, and for the time being in force, no written message or messages other than oral shall be collected or delivered at any Telephone exchange or office of the Licensees, or at the office of any subscriber or lessee.

12. No money or other valuable consideration shall, in respect of the receipt, transmission or delivery of any Telephonic message by means of any Telephone exchange or private Telephone wire established hereunder, be, or be promised to be, paid or given to any subscriber or lessee by any person whomsoever, whether a subscriber, lessee or not.

13. The Licensees shall, in every agreement with a subscriber or lessee, make due provision for the observance of the two last foregoing conditions, and reserve to themselves the fullest discretion to rescind the agreement on any infringement by the subscriber or lessee of either of those conditions.

14. (*1*) The Licensees shall, seven days at least before connecting the office of any subscriber or intending subscriber with any Telephone exchange, or an office of any lessee or intending lessee with another office of that lessee or with the office of any other person within the limits specified in their license, deliver a notice in writing of their intention so to do at the office of the Director-General, or to such officer as the Director-General may appoint to receive the notice.

(*2*) The notice shall contain—

(*a*) the name, address and occupation of the subscriber or lessee, or intending subscriber or lessee, to whom the notice relates;

(*b*) a copy of the engagement and condition entered into and agreed to by the subscriber or lessee under the last foregoing condition; and

(*c*) full particulars of the situation of the office or intended office to which the notice relates, and of the line or route in which it is intended to lay the Telephone wire or wires for establishing the connection, and of the manner in which, and the houses and buildings (if any) on or by means of which, it is intended that such wire or wires shall be supported.

(*3*) Notwithstanding anything in the foregoing portion of this condition, the Director-General may at his discretion grant permission for the connection to be established within a less period than seven days.

15. The posts and other Telephonic apparatus and appliances of the Licensees shall be so *erected* and placed as not to interfere with the convenient erection, maintenance or use of, or to expose to risk of damage, any posts, wires or other Telegraphic or Telephonic apparatus or appliances under the charge of the Director-General which may, from time to time, exist, or any posts, wires or other Telegraphic or Telephonic apparatus or appliances which it is probable that he may have occasion to erect; and accordingly no posts, wires or other Telephonic

apparatus or appliances shall be erected, fixed or placed by the Licensees, in pursuance of any such notice as aforesaid or otherwise, without the approval or consent in writing of the Director-General or an officer authorised by him in that behalf.

16. In the event of any posts, wires or other Telephonic apparatus or appliances of the Licensees which may already have been erected or placed with the consent of the Director-General interfering with the erection or placing of any posts, wires or other Telegraphic or Telephonic apparatus or appliances which the Director-General may, during the continuance of the said license, have occasion to erect, the Licensees shall, within thirty days after written notice has been given at their principal office situated within the limits specified in their license, remove such posts, wires or other Telephonic apparatus or appliances to another situation approved by the Director-General; and the reasonable expenses incurred by the Licensees in the removal shall be reimbursed by the Director-General.

17. In case any Telephone wire or wires of the Licensees shall, by reason of the neglect of the Licensees to maintain the same properly fixed and in good repair, or from any other cause whatever, interfere with the working of, or damage, any Telegraph or Telephone wire or wires under the charge of the Director-General, any officer generally or specially empowered by the Director-General in this behalf may, if the Licensees do not forthwith remove their said Telephone wire or wires, or sufficiently repair and refix such wire or wires to his satisfaction, so as to prevent any further interference with, or damage to, the wires under the charge of the Director-General, or if for any other reason he thinks it necessary for the public service, remove or repair and refix such wire or wires of the Licensees as aforesaid; and the Licensees shall on demand pay to the Director-General the cost of refixing and repairing the Telegraph or Telephone wire or wires under the charge of the Director-General which shall have been interfered with, or damaged, as aforesaid, and the cost of any removal or repair and refixing by such officer of their said wire or wires.

18. The Director-General and his officers and agents may, from time to time, and at all reasonable times, enter on any office of the Licensees and, so far as the Licensees can give permission, on any subscriber's or lessee's office, for the purpose of inspecting the Telephones and other Telephonic instruments and appliances fixed in those places.

19. The Licensees shall not move their Telephone exchanges without the previous consent in writing of the Director-General.

Second Schedule.

Interpretation.

(1) "Subscribers" means those companies, firms and persons from whom the Licensees receive subscriptions, and with whom they enter into contracts in relation to connecting their offices by means of Telephone wires with a Telephone exchange.

(2) "Lessees" means those companies, firms and persons, whether subscribers or not, to whom the Licensees lease any private Telephone wire established by them.

(3) "Office" whether used with reference to the licensees, a subscriber, a lessee or any other person, includes any house, warehouse, factory, building, vessel or place occupied by the licensees, subscriber, lessee or other person.

(4) "Telephone" includes any apparatus by means of which any articulate sounds can be conveyed to a distance by the agency of electricity, galvanism or magnetism.

(5) "Telephone wire" includes any metallic connection beween two Telephones or between one Telephone and a Telephone exchange.

(6) "Telephone exchange" means any contrivance, instrument, apparatus or appliance to which two or more "Telephone wires" may be attached, and which is used for the purpose of temporarily establishing from time to time, as occasion may require, a direct connection between any two of such Telephone wires, and includes a "central Telephone exchange" and a "district Telephone exchange."

(7) "Central Telephone exchange" means either the only Telephone exchange belonging to the Licensees within the limits specified in their license, or, if more than one Telephone exchange is established by the Licensees within those limits, the central or principal apparatus with which one or more district Telephone exchanges may be connected.

(8) "District Telephone exchange" means a Telephone exchange other than a central Telephone exchange with which two or more subscribers' offices are connected by means of Telephone wires, and which itself is connected by means of one or more Telephone wires with a central exchange or with another district exchange.

(9) "Open Telephone office" means any building or place in or to which may be contained or attached a Telephone which is connected by means of one or more Telephone wires with a Telephone exchange and which may be used by persons other than those hereinbefore described as "subscribers," for communication with subscribers, and may also be used by subscribers for communication with other subscribers.

(10) "Private Telephone wire" means a "Telephone wire" connecting the office of one person with the office of another person, or one office of a person with another office belonging to the same person, without being itself connected with a "Telephone exchange;" and

(11) A Telephone exchange shall not be deemed to have been "established" until not less than ten companies, firms or persons have severally paid to the Licensees a sum of money in respect of the use of the Licensees' exchange for a period of not less than twelve calendar months.

Telephone Exchange.

Telegram Subscription Rules.

Whereas a Telephone Exchange may, with the permission of the Director-General of Telegraphs in India, be connected by means of one or more Telephone wires with the central Government Telegraph office within the limits within which it has been established, to the intent that the subscribers may be enabled to communicate directly with that Telegraph office; in exercise of the powers conferred by sections 7 and 8 of the Indian Telegraph Act, 1876, the Governor General in Council is pleased to make the following rules prescribing the regulations, conditions and restrictions according to which all messages and signals communicated to a Government Telegraph office by the subscribers to a Telephone exchange connected with a Government Telegraph office, or received for transmission to such subscribers, shall be transmitted.

1. These rules may be called the Telegram Subscription Rules, 1884.

2. Any subscriber to a Telephone exchange connected as aforesaid with a Government Telegraph office shall be entitled to communicate direct with the Telegraph office by means of the Telephone exchange and the connecting Telephone wires on payment to the Director-General of Telegraphs in India (herein referred to as the Director-General) of a yearly sum of sixty rupees, which shall be paid in advance on the first day of January in each year:

Provided that, if a subscriber desires to institute his direct communication with the Telegraph office on any other date than the first day of January, he shall in respect of the then current year be required to pay in advance a proportionate part only of the said sum of sixty rupees.*

3. When a Telegram addressed to such a subscriber as aforesaid (herein referred to as a Telegram subscriber) is received at the Telegraph office, it shall at the discretion of the Director-General or his officers either be delivered in the manner provided in the "Rules and Tariff relating to the transmission of Telegraph Messages in India," made under the Indian Telegraph Act, 1876, and for the time being in force, or be transmitted to the Telegram subscriber by means of the Telephone exchange if it can be so transmitted with reasonable speed, and in that case the Telegram subscriber shall accept such transmission in place of the delivery of the Telegram in the manner provided by the aforesaid Rules and Tariff.

4. Telegrams received from a Telegram subscriber at the central Telegraph office by means of the Telephone exchange shall, at the option of the Telegram subscriber, be forwarded to their destination by the Government Telegraph, or be forwarded by post as ordinary letters, or, if the address of delivery is within a reasonable distance from the Telegraph office, by special messenger:

Provided that a Telegram subscriber shall not be entitled to transmit more than one Telegram at a time to the Telegraph office by means of the Telephone exchange, nor shall the Telephone exchange be used for the transmission of press messages.

5. A Telegram subscriber shall pay to the Director-General in respect of every such Telegram forwarded from the Telegraph office by Telegraph the same sum for transmission, Prepaid Replies, Postage, Registration and Express Charges (if any) as would be payable by the sender if the Telegram had been handed in at the central Telegraph office as an ordinary Telegram.

6. A Telegram subscriber shall pay to the Director-General in respect of every such Telegram forwarded from the Telegraph office by post as a letter the ordinary postage payable on the letter.

7. A Telegram subscriber shall pay to the Director-General in respect of every such Telegram delivered from the Telegraph office by special messenger a sum of two annas if the address of delivery is within the limits of the free ordinary delivery of Telegrams from the Telegraph office, and in all cases the same sum as would be payable for "Express Charges" in respect of an ordinary Telegram delivered from the Telegraph office at the same address.

8. All sums payable by a Telegram subscriber in respect of Telegrams forwarded as aforesaid from the Telegraph office shall be paid in advance by means of a deposit with the

* The annual payment of sixty rupees to the Director-General is to be in consideration of the services of the Telegraphist attending to the Telephone exchange connection in the central Telegraph office and of the other services to be rendered and expenses to be incurred by the Director-General.

Telegraph officer in charge of the Telegraph office, who shall not be required to forward any such Telegram unless the sum for the time being in his hands on account of the deposit is sufficient for the payment of the amount payable in respect of the Telegram.

9. All accounts in respect of Telegrams forwarded or delivered as aforesaid on behalf of a Telegram subscriber from the Telegraph office shall be settled monthly up to the first day of each calendar month.

10. A Telegram subscriber may pay the sum payable by him to the Director-General in accordance with Rule 2 to the Licensees of the Telephone exchange to which he is a subscriber, as the agents and on behalf of the Director-General, and the receipt of the Licensees shall be a good discharge for any sum so paid.

The said Licensees shall act as agents of the Director-General for the purpose aforesaid, and shall receive all sums which may in accordance with the said rule be tendered to them by the subscribers as such agents, and shall pay the same to the Director-General immediately on the receipt thereof or at such other times as may be agreed upon between the Director-General and the Licensees.

11. The Secretary of State in Council or the Director-General shall not be subject to any liability by reason or on account of any failure, delay or mistake in or about the transmission, receipt or delivery of any Telegram under these rules, whether arising from the default of the Licensees or of any officer of the Government Telegraph, or otherwise.

12. If any sum payable under Rule 2 or any other money which is for the time being due from a Telegram subscriber under these rules is in arrear or unpaid for twenty-one days after it ought to be paid, the Director-General may by notice in writing debar the subscriber from participating in the advantages of these rules from the date of the service of the notice:

Provided that the fact of a subscriber being debarred from participating in the advantages of these rules shall not affect the right of the Director-General to recover from the subscriber any money which may be in arrear and unpaid.

13. Any notice to be given by the Director-General under these rules may be signed by the Chief Officer of the Division of Telegraphs within which the Telephone exchange with which the subscriber's office is connected is situated, and may be served by sending it by post in a registered letter to the subscriber at his office.

TELEPHONE EXCHANGE.

Agency Subscription Rules.

WHEREAS a Telephone exchange may, with the permission of the Director-General of Telegraphs in India, be utilized as an agency through which subscribers' Telegrams intended for transmission or transmitted over the wires of the Government Telegraph Department may be received and delivered by the officers of that Department. In exercise of the powers conferred by sections 7 and 8 of the Indian Telegraph Act, 1876, the Governor-General in Council is pleased to make the following rules prescribing the regulations, conditions and restrictions according to which all messages and signals received or deliverable through the agency of any such Telephone exchange shall be transmitted:—

1. These rules may be called the Agency Subscription Rules, 1884.

2. If a subscriber to a Telephone exchange desires to employ the Licensees of the Telephone exchange as his agents through whom his Telegrams intended for transmission or transmitted over the wires of the Government Telegraph Department may be received or delivered by the officers of that Department, he shall address the following form of request to the Director-General of Telegraphs in India (herein referred to as the Director-General):—

"I hereby request the Director-General of Telegraphs in India, until further notice, to deliver to the Telephone Exchange Company, Limited, at their central Telephone exchange situated in the town of for transmission to me by means of the Telephone exchange of that Company, all Telegrams address to me at that may be received by means of the central Government Telegraph office in that town, and to transmit all Telegrams received from the said Company at such Government Telegraph office as the Director-General may by order in writing appoint for transmission on my account; and I hereby agree to pay to the Director-General the sum of twelve rupees per annum in advance on the day of in each year for the registration of special instructions to the effect above-mentioned."

Signed

3. During the continuance of the period for which such a subscriber as aforesaid (herein referred to as an Agency subscriber) is registered at the Telegraph office as desirous of having

his Telegrams delivered to, and received for transmission from, the Licensees of the Telephone exchange to which he is a subscriber, the Licensees—

(*a*) may receive messages transmitted to a Telephone attached to the exchange from the office of the subscriber and intended to be further transmitted on behalf of the subscriber by means of the Government Telegraphs, and

(*b*) may as the agents of the subscriber commit the messages to writing on appropriate messages forms to be provided by the Director-General, and

(*c*) may deliver the forms by messenger at such Government Telegraph office as the Director-General may by order in writing appoint for that purpose, to the intent that the forms may be transmitted from the office as Telegrams.

4. All charges which under the "Rules and Tariff relating to the transmission of Telegraph messages in India" made under the Indian Telegraph Act, 1876, and for the time being in force, should be paid by the sender of a Telegram shall be paid by Telegraph stamps attached to the message form on which any such message as aforesaid is written before the delivery of the message form at the Telegraph office.

5. (*a*) On the delivery by the Director-General at the office of the Licensees of a Telegram addressed to any Agency subscriber, the Licensees may transmit the Telegram to the subscriber's office by means of their Telephone exchange.

(*b*) The time at which the transmission takes place shall be entered on the message form on which the Telegram was delivered at the office of the Licensees.

(*c*) All message forms delivered by the Director-General at the office of the Licensees on any day shall at the end of the same day be returned by the Licensees to the central Telegraph office in the town in the order in which they were delivered at the office of the Licensees.

6. The Licensees shall not retain a copy of any telegram transmitted by or to any of their subscribers under the operation of these Rules.

7. In case of any breach, non-performance or non-observance by or on the part of the Licensees of any of the stipulations and conditions hereinbefore contained or contained in the aforesaid Rules and Tariff relating to the transmission of Telegraph messages in India, the Director-General may by notice in writing revoke and determine the permission granted under these Rules as from the date of the service of the notice.

8. Any notice to be given by the Director-General under these Rules may be signed by the Chief Officer of the Division of the Telegraphs within which the Telephone exchange of the Licensees is situated, and may be served by sending the same by post in a registered letter to the Licensees at their office.

ORDER.—Ordered, that copies of the Resolution be forwarded to the Secretary of State, with reference to His Lordship's Despatch No. 26, dated 13th September 1883; to the Departments of the Government of India and to the Local Governments and Administrations noted in the margin for information and guidance; also to the Director-General of Telegraphs for information and guidance and communication to the Agents of the several Telephone companies in India, and to the Publisher of the *Gazette of India*, for publication in the Gazette Supplement.

The Governments of Madras, Bombay, Bengal, the North-Western Provinces and Oudh, and the Punjab, Public Works Department.
The Chief Commissioners, Central Provinces, British Burma, Assam, and Coorg.
The Resident at Hyderabad.
The Resident at Mysore (through Foreign Department).
The Agents to the Governor General for Central India, Rajputana, and Beluchistan.
The Accountant General, Public Works Department.
The Inspector General of Military Works.
The Director General of Railways.
The Consulting Engineers to the Government of India for Guaranteed Railways, Calcutta, Lahore, and Lucknow.
The Director-in-Chief, Indo-European Telegraph.
The Director, Persian Telegraph.
The Director, Persian Gulf Telegraph.
To the Department of Finance and Commerce.
To the Foreign, Home, Military, and Legislative Departments.
To the Department of Revenue and Agriculture.
To the Chambers of Commerce in Bengal, Madras, Bombay, Rangoon, and Karachi.

W. Lyon Col., R.E.,
Secretary to the Govt. of India.

To The Secy: to the Govt of Madras, P. W. Deptt

Fig.

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GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

CIVIL WORKS.

Telegraph.

To

No. 203T.

Dated Simla, August 14, 1884.

Received

Revised Form of License for Telephone Companies in India.

G. C. B. Press, Simla.—No. 155 P. W. D.—15-8-84.—250.

22-12-05

23/12/05

7818

Govt. of {1884} Madras.

PUBLIC WORKS.

137

Dated

Read 5-15/12

Rec'd

Rec'd

G.O. 28 Dec 1884, No. 2237 W

Revised Forms of Licence.

Telephone Companies in India. Resolution of the Govt of India circulating

27/12/10