

Public Works (1897) Department.

G.O., No. 631 R

DATED 9 September 1897

[Despatch Abstract.]

Railway Lands on which the Govt of India exercise
Jurisdiction: Directing that so much of the
Notification of the Govt of India Dated Sept 1897 relating
to — as ~~relates~~ ^{appertains} to Railways in His Presidency
be republished in the Fort St George Gazette

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Railway lands on which the Govt. of India exercise jurisdiction

FURTHER PAPERS.

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GOVERNMENT OF INDIA.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 13th August, 1897.

Whereas the Governor-General in Council has and exercises full jurisdiction within those portions of the land forming the Bangalore Branch of the Madras Railway (including the land occupied by stations and out-buildings and for other purposes connected with the Railway) which lie within the territories of His Highness the Maharaja of Mysore ;

And whereas the Chiefs of Morvi, Wankaner, Wadhwan, Lakhtar, Sayla, Muli, Dhrol and Rajkot, and the Talukdars of Gavridad and Kotharia, in Kathiawar, have ceded to the British Government the civil and criminal jurisdiction exercised by them within the lands which lie within their respective territories and are occupied by the Morvi Railway and the Aji Bridge extension thereof (including the lands occupied by stations and out-buildings and for all other purposes connected with the Railway and the lands occupied by culverts or bridges over which the Railway passes); and whereas the Governor-General in Council now has full jurisdiction within those lands;

And whereas the Rulers or Administrators of the other States mentioned in the second column of the schedule hereto annexed have ceded to the British Government full jurisdiction, or all the jurisdiction they had, or the jurisdiction necessary for the administration of railways and of civil and criminal justice in connection therewith, within the lands which lie within their respective territories, or which lie within the parts of their respective territories mentioned or referred to in the third column of the said schedule, and are occupied, or may be hereafter occupied, by the Railways mentioned opposite their names, respectively, in the first column of the said schedule (including the lands occupied by stations and out-buildings and for other purposes connected with the Railway); and whereas the Governor-General in Council now has jurisdiction within those lands:

In exercise of the jurisdiction referred to, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to issue the following orders:—

I.—The provisions, so far as they may be suitable, and as amended for the time being and from time to time by subsequent enactments, of the Indian Railways Act, 1890 (IX of 1890), shall apply to all the aforesaid lands.

II.—In exercise of the power conferred by section 16, read with section 148, sub-section (I), of the said Act so applied, the Governor-General in Council is pleased to sanction the use of locomotive engines or other motive power, and rolling-stock to be drawn or propelled thereby, on all railways occupying any of the aforesaid lands.

III.—The general rules for working open lines of railway administered by the Government which were published under the Notification of the Government of India in the Public Works Department, No. 118, dated the 21st March, 1895, in the *Gazette of India* for 1895, Part I, page 173, shall, as modified for the time being and from time to time for British India, apply to all lines of railway administered by the Government occupying any of the aforesaid lands, and for the time being used for the public carriage of passengers, animals or goods.

IV.—The general rules published under the Notification of the Government of India in the Public Works Department, No. 118, dated the 21st March, 1895, shall apply also to—

- (a) lines of railway not administered by the Government, occupying any of the aforesaid lands and for the time being used for the public carriage of passengers, animals or goods, from such dates and with such modifications as may from time to time be prescribed in respect of their application to the portions of such lines respectively which lie in British India, or to the respective railway systems in British India which administer such lines;
- (b) the railways comprised in the undertaking of the Nizam's Guaranteed State Railway Company and the Morvi Railway, from such dates and with such modifications as may from time to time be prescribed in respect of their application to the Bezwada Extension of the East Coast State Railway, and to the Bhavnagar-Gondal-Junagad-Porbandar Railway, respectively.

V.—The general rules for working railways under construction and not used for the public carriage of passengers, animals or goods, which were published under the Notification of the Government of India in the Public Works Department, No. 480 $\frac{1}{2}$, dated the 30th October, 1890, in the *Gazette of India* for 1890, Part I, page 795, shall apply to such portions of the railways occupying any of the aforesaid lands as may for the time being be under construction or sanctioned for construction.

VI.—Subject to the modification prescribed in the Circular of the Government of India in the Public Works Department, No. 18, Railway, dated the 2nd November, 1895, published in the *Gazette of India*, 1895, Part I, page 948, and any further modifications from time to time prescribed for British India, the rules framed under sections 84 and 85 of the said Indian Railways Act, 1890, which are appended to the Circular of the Government of India in the Public Works Department No. 7, Railway, dated the 19th April, 1895, published in the *Gazette of India*, 1895, Part I, pages 336 to 338, and the directions contained in paragraphs 2 and 3 of the Resolution embodied in that Circular, shall apply to the railways occupying the aforesaid lands.

VII.—In exercise of the authority given by section 135 of the said Indian Railways Act, 1890, applied as aforesaid, the Governor-General in Council is pleased to declare that the provisions of the Notifications of the Government of India in the Public Works Department, No. 270, dated the 12th June, 1890, published in the *Gazette of India* for 1890, Part I, page 438, and No. 136, dated the 5th April, 1893, published in the *Gazette of India* for 1893, Part I, page 190, declaring railway administrations in British India to be liable to pay certain taxes in aid of the funds of local authorities, shall apply, and shall be deemed to have applied (save as regards any tax actually paid or accrued due before the date of this Notification), which effect from the dates which they bear, respectively, to the administrations of the railways occupying the aforesaid lands.

VIII.—In exercise of the power conferred by section 144 of the said Indian Railways Act, 1890, applied as aforesaid, the Governor-General in Council is pleased to delegate to Local Governments, to the extent and subject to the conditions hereinafter specified, the following powers and functions which are now vested in him under the said Act so applied, the powers and functions hereby delegated being liable to be revoked or varied, and the exercise and discharge thereof to be controlled, as the Governor-General in Council may from time to time think fit :—

- (1) *Sections 7, 9 and 11.*—All the powers and functions of the Governor-General in Council, subject to the proviso that the exercise and discharge of such powers and functions shall not entail any expenditure in excess of the general powers of sanction of the Local Government concerned.
- (2) *Section 48.*—All the powers and functions of the Governor-General in Council, but only in cases where the railways concerned are under the control of one and the same Local Government.
- (3) *Section 51, clauses (a), (b), (c), (d), and (e), and Section 55.*—All the powers and functions of the Governor-General in Council.
- (4) *Section 63.*—The power of determining the vernacular languages in which the maximum number of passengers to be carried in each compartment shall be exhibited.
- (5) *Section 83.*—The power of notifying the Magistrates and Police-officers to whom notices of railway accidents are to be given.

IX.—The Governments and authorities mentioned in the fourth column of the Schedule hereto annexed shall be deemed, for the purposes of the said Indian Railways Act, 1890, applied as aforesaid, and of clause VIII of this Notification, to be the Local Governments in respect to such parts of the railways mentioned opposite their names, respectively, in the first column of the said schedule, as are situate within the territories of the States mentioned opposite their names, respectively, in the second column of the said schedule.

X.—The following Notifications of the Government of India in the Foreign Department are hereby cancelled :—

No. 1328-I.,	dated the 23rd March, 1891.
„ 3149-I.,	„ 29th July, 1891.
„ 3191-I.,	„ 31st July, 1891.
„ 285-I.,	„ 21st January, 1892.
„ 504-I.,	„ 9th February, 1893.
„ 507-I.,	„ 9th February, 1893.
„ 766-I.,	„ 2nd March, 1893.
„ 2111-I.,	„ 15th June, 1893.
„ 2431-I.,	„ 13th July, 1893.
„ 3464-I.,	„ 5th October, 1893.
„ 3651-I.,	„ 19th October, 1893.
„ 105-I.,	„ 11th January, 1894.
„ 3355-I.,	„ 20th September, 1894.
„ 1579-I.,	„ 17th May, 1895.
„ 1582-I.,	„ 17th May, 1895.
„ 139-I.,	„ 9th January, 1896.
„ 228-I.,	„ 16th January, 1896.
„ 419-I.,	„ 30th January, 1896.
„ 509-I.,	„ 6th February, 1896.
„ 821-I.,	„ 3rd March, 1896.
„ 1129-I.,	„ 2nd April, 1896.

(Sd.) W. J. CUNINGHAM,
Secretary to the Government of India.

SCHEDULE.

Railway Lands on which the Government of India exercise jurisdiction.

Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
1	2	3	4
Ahmedabad-Parantij Railway	Baroda ...	.....	The Government of Bombay.
Ditto	Idar ...	.....	Ditto.
Barsi Light Railway	Hyderabad ...	.....	Ditto.
Bengal-Nagpur Railway	Bamra ...	.....	The Chief Commissioner of the Central Provinces.
Ditto	Khairagarh ...	.....	Ditto.
Ditto	Nandgaon ...	.....	Ditto.
Ditto	Raigarh ...	.....	Ditto.
Ditto	Rewah ...	.....	Ditto.
Ditto	Sakti ...	.....	Ditto.
Ditto	Gangpur ...	The part of the State comprised in the Hingir Taluq.	Ditto.
Ditto	Ditto ...	The western parts of the State between the Sambalpur Road and Govindpur Railway Stations.	Ditto.
Ditto	Ditto ...	The eastern parts of the State.	The Government of Bengal.
Ditto	Khursawan ...	.....	Ditto.
Ditto	Moharbhaj ...	.....	Ditto.
Ditto	Seraikilla ...	.....	Ditto.
Bhavnagar-Gondal-Junagad-Portandar Railway.			
(Dhoraji-Portandar Section)	Gondal ...	.....	The Government of Bombay.
Ditto	Navanagar ...	.....	Ditto.
Ditto	Portandar ...	.....	Ditto.
(Jetalsar-Rajkot Section)	Gadhka ...	.....	Ditto.
Ditto	Gondal ...	.....	
Ditto	Jetpur ...	.....	
Ditto	Junagad ...	.....	
Ditto	Katharia ...	.....	
Ditto	Kotda Sangani ...	.....	
Ditto	Lodhika ...	.....	
Ditto	Rajkot ...	.....	
Ditto	Shapur ...	.....	
Ditto	Virpur ...	.....	
Bhopal-Ujjain Railway	Gwalior ...	.....	The Agent to the Governor-General in Central India.
Ditto	Indore ...	.....	Ditto.
Ditto	Bhopal ...	.....	Ditto.
Ditto	Dewas (Senior Branch) ...	.....	Ditto.
Ditto	Dewas (Junior Branch) ...	.....	Ditto.
Bina-Goonn Railway	Gwalior ...	.....	Ditto.

SCHEDULE—contd.

Railway Lands on which the Government of India exercise jurisdiction—contd.

Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
1	2	3	4
Bombay, Baroda and Central India Railway.	Bajana ...	...	The Government of Bombay.
Ditto	Lakhtar ...	...	Ditto.
Ditto	Patri ...	...	Ditto.
Ditto	Wadhwan ...	...	Ditto.
Delhi-Umballa-Kalka Railway.	Kalsia ...	...	The Government of the Punjab.
Ditto	Patiala ...	...	Ditto.
Dhond-Manmad State Railway.	Hyderabad ...	...	The Resident at Hyderabad.
Godra-Rutlam-Nagda Railway.	Baria ...	...	The Government of Bombay.
Ditto	Indore ...	...	The Agent to the Governor-General in Central India.
Ditto	Jhabua ...	...	Ditto.
Ditto	Rutlam ...	...	Ditto.
Ditto	Sailana ...	...	Ditto.
Great Indian Peninsula Railway.	Hyderabad ...	...	The Resident at Hyderabad.
Ditto	Kurundwar ...	The villages of Baroti, Duhani and Rupewadi.	The Government of Bombay.
Indian Midland Railway—			
(1) Jhansi-Agra Section ...	Dholpur ...	...	The Agent to the Governor-General in Rajputana.
Ditto	Datia ...	...	The Agent to the Governor-General in Central India.
Ditto	Gwalior ...	...	Ditto.
(2) Jhansi-Bhopal-Itarsi Section.	Bhopal ...	...	Ditto.
Ditto	Gwalior ...	...	Ditto.
Ditto	Khaniadhana ...	...	Ditto.
Ditto	Kurwai ...	...	Ditto.
Ditto	Orchha ...	...	Ditto.
(3) Jhansi-Cawnpur Section	Santhar ...	...	Ditto.
(4) Jhansi-Manickpur Section.	Alipura ...	...	Ditto.
Ditto	Garrauli ...	...	Ditto.
Ditto	Orchha ...	...	Ditto.
Ditto	Pahra ...	...	Ditto.
Ditto	Tarson ...	...	Ditto.
(5) Saugor-Katni Section ...	Panna ...	...	The Chief Commissioner of the Central Provinces.

SCHEDULE—contd.

Railway Lands on which the Government of India exercise jurisdiction—contd.

Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
1	2	3	4
Jammu and Kashmir Railway	Jammu ...	...	The Resident in Kashmir.
Jamnagar Railway	Navanagar ...	...	The Government of Bombay.
Kolar Gold Fields Railway...	Mysore ...	...	The Resident in Mysore.
Kolhapur State Railway	Kolhapur ...	...	The Government of Bombay.
	Miraj ...	...	Ditto.
	Sangli ...	...	Ditto.
		...	Ditto.
Kotri-Rohri Railway	Khairpur ...	...	The Resident at Hyderabad.
Madras Railway	Hyderabad ...	...	The Resident in Mysore.
Do. (Bangalore Branch)	Mysore ...	...	The Government of Bombay.
Mehsana-Virangam Railway	Baroda ...	The villages of Bhisana, Boriavi, Hindwa, Hamman Maknaji, Mehsana, Modipura, Nagarpur, Palawasna, and Sakhpura.	Ditto.
Ditto	The Katosan and Ijpura Estates of the Mahi Kantha Agency.	...	Ditto.
Morvi Railway	Dhrol ...	...	Ditto.
Ditto	Gavridad ...	...	Ditto.
Ditto	Kotharia ...	...	Ditto.
Ditto	Lakhtar ...	...	Ditto.
Ditto	Morvi ...	...	Ditto.
Ditto	Muli ...	...	Ditto.
Ditto (including the Aji Bridge Extension).	Rajkot ...	...	Ditto.
Ditto	Sayla ...	...	Ditto.
Ditto	Wadhwan ...	...	Ditto.
Ditto	Wankaner ...	...	The Resident in Mysore.
Mysore State Railway (from and inclusive of the Harihar Railway Station to and inclusive of the Bangalore Railway Station, and from and inclusive of the Yeswantpur Junction Railway Station to the frontier of the State on the Bangalore-Hindupur Section).	Mysore ...	...	
Nagda-Ujjain Railway	Gwalior ...	...	The Agent to the Governor-General in Central India.
The Railways comprised in the undertaking of the Nizam's Guaranteed State Railways Company.	Hyderabad ...	...	The Resident at Hyderabad.
North Western State Railway (the Sind, Punjab and Delhi line).	Kapurthala ...	...	The Government of the Punjab.
Ditto	Nabha ...	...	Ditto.
Ditto	Patiala ...	...	Ditto.

SCHEDULE—*contd.*

Railway Lands on which the Government of India exercise jurisdiction—contd.

Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
1	2	3	4
Oudh and Rohilkhand State Railway.	Rampur	...	The Government of the North-Western Provinces.
Palampur-Deesa Railway	Palampur	...	The Government of Bombay.
Rajpipla State Railway	Rajpipla	...	Ditto.
Rajputana-Malwa Railway—			
(1) Cawnpore-Achnera State Railway.	Bhartpur	...	The Agent to the Governor-General in Rajputana.
(2) Holkar State Railway...	Indore	...	The Chief Commissioner of the Central Provinces.
Ditto	Do.	...	The Agent to the Governor-General in Central India.
(3) Neemuch-Nasirabad State Railway.	Gwalior	...	Ditto.
Ditto	Meywar	...	The Agent to the Governor-General in Rajputana.
Ditto	Tonk	...	Ditto.
(4) Rajputana State Railway.	Alwar	...	Ditto.
Ditto	Bhartpur	...	Ditto.
Ditto	Jaipur	...	Ditto.
Ditto	Jodhpur	...	Ditto.
Ditto	Kishangarh	...	Ditto.
Ditto	Nabha	...	Ditto.
Ditto	Pataudi	...	The Government of the Punjab.
(5) Rewari-Ferozepur Railway.	Dujana	...	Ditto.
Ditto	Faridkot	...	Ditto.
Ditto	Jind	...	Ditto.
Ditto	Nabha	...	Ditto.
Ditto	Patiala	...	Ditto.
(6) Sindhia-Neemuch State Railway.	Dhar	...	The Agent to the Governor-General in Central India.
Ditto	Gwalior	...	Ditto.
Ditto	Indore	...	Ditto.
Ditto	Jaora	...	Ditto.
Ditto	Rutlam	...	Ditto.
Ditto	Sailana	...	Ditto.
(7) Western Rajputana State Railway.	Baroda	...	The Government of Bombay.
Ditto	Palampur	...	Ditto.
Ditto	Jodhpur	...	The Agent to the Governor-General in Rajputana.
Ditto	Serahi	...	Ditto.

SCHEDULE—*concl.*

Railway Lands on which the Government of India exercise jurisdiction—concl.

Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
1	2	3	4
Southern Mahratta Railway—			
(1) Main line	Hyderabad	The villages of Angondan-kop, Bannikop, Basapur, Bhanapur, Bevinhalli, Bul-lapur, Dudagal, Ginigeri, Halgeri, Hatanbal, Hosahalli, Itgi, Khanapur, Kida-dhal, Kuppai, Melenaikankop, Manapur, Rudrapur, Sompur, Talbal, Talkal and Yettinhalli.	The Government of Bom-bay.
(2) Bijapur Branch	Akalkot	The villages of Khanapur, Kegaon Budruk, Kegaon Khurd, Sular Jawaige and Tadval.	Ditto.
Ditto	Ramdrug	The villages of Asoti and Somankatti.	Ditto.
Ditto	Sangli	The village of Lachan	Ditto.
(3) Harihar Branch	Jamkhandi	The villages of Kamdoli, Kundgol, Pur, Sawshi and Sirur.	Ditto.
Ditto	Miraj (Junior)...	The village of Gudgeri	Ditto.
Ditto	Savanur	The villages of Honnikop and Tondur.	Ditto.
(4) Mysore Section	Mysore	The portion of land which lies between the centre of the Harihar Railway Bridge as measured from bank to bank and the north distant signal of the Harihar Rail-way Station.	Ditto.
(5) Poona Branch	Aundh	The villages of Bichud, Kun-dal and Virawde.	Ditto.
Ditto	Jamkhandi	The village of Shirawde	Ditto.
Ditto	Kolhapur	The villages of Bambual, Budihal, Chinchli, Hubar-batti, Mavinhuda, Morab, Nagral and Raybag.	Ditto.
Ditto	Kurundwar (Senior)	The villages of Angal and Budhihal.	Ditto.
Ditto	Kurundwar (Junior)	The villages of Dawunkutti, Majgaum, Suiga and Yellur.	Ditto.
Ditto	Miraj (Senior)...	The villages of Miraj, Nar-vad and Wuddi.	Ditto.
Ditto	Miraj (Junior)	The village of Budgaon	Ditto.
Ditto	Phaltan	The villages of Adarki Khurd, Hingangaon, Ka-padgaon Koparde, Salpa and Tambwe.	Ditto.
Ditto	Sangli	The villages of Chandur, Dudhondi, Ghogav, Jhad Shahapur, Raikhamb, Karnol, Khangav Bud-ruk, Khangav Khurd, Mhaisel, Nandre, Sangli, Tombarguddi, Tupari, Ugar Khurd and Yadal-bhavibatti.	The Government of the Punjab.
Southern Punjab Railway—	Bahawalpur	...	Ditto.
.....	Jind	...	Ditto.
.....	Patiala	...	Ditto.
Tapti Valley Railway—	Baroda	...	The Government of Bombay.
Surat Amalner section	Baroda	...	Ditto.

No. 3064-I. B.

A copy of the foregoing notification is forwarded to the Government of Fort St. George, for information, in continuation of the endorsement from the Government of India in the Foreign Department, No. 1329-I., dated the 23rd March, 1891.

By order, etc.,

FOREIGN DEPARTMENT,
SIMLA;
The 13th August 1897. }

V. D. Sanjay
Offg. Under-Secretary to the Govt. of India.