Public Works (1890) Department.

RAILWAY BRANCH.

G.O., No. 392 - 3 Ry.

DATED 19th March

[Despatch Abstract.]

Latrine accommodation in third-class carriages, Madras Railway.—Letter from the agent & manager suggesting to make a representation to Government for the omission in the new Indian Railways Bill any Compulsory clause as to —, ordered to be forwarded to the Govt of India.

Forwarded.

[P. W. Ry. 1. 760—26-9-99.]

Indexed.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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The Chamber of Commerce,

MADRAS, *27th June*, 1885.

FROM

THE HON'BLE J. A. BOYSON,

CHAIRMAN, CHAMBER OF COMMERCE,

Madras.

TO

THE UNDER SECRETARY,

GOVERNMENT OF INDIA,

Public Works Department, Simla.

SIR,

The Chamber has had under consideration the draft of the New Indian Railway Bill, together with the observations thereon, dated Simla, November 5th, 1884, No. 1036, R. T., and it has desired me to communicate to you the result of its scrutiny of the proposed enactment.

It is stated at the outset that the extension of railways by private enterprise since 1882 has rendered the consolidation and amendment of the law relating to Indian Railways necessary, and the Act is designed primarily to facilitate the preliminary negotiations for, and the completion and working of railway undertakings promoted by such enterprise. The Chamber regrets to have to say that, in its opinion, the general tenor of the Bill is calculated rather to deter than to enlist private enterprise in the development of Railways in this country. For it imposes so many restraints, it enforces so severe a control, and makes such heavy demands, as combine to reduce the independence of Companies subject to it to a shadow, while it subordinates the interests of the Companies to the economy of Departments which might be justly required to pay their own way. If the Companies are compelled to accept underpayment for their services to the Postal, Telegraph, Military, and other Departments, the allegation is strengthened in the London money market that Indian Railways are not, for the most part, remunerative, and undue significance is consequently attached to the large sum ($25\frac{1}{2}$ million sterling), which the Government has paid to date out of the public exchequer on account of guaranteed interest. The Government is the largest individual customer for the conveniences proffered by the Railways, and it is the Government that fixes the preferential rates that it shall pay for the enjoyment of those conveniences. But in Section 83 of the Bill under notice, the Government prohibits, as between members of the general public, the giving of "any undue or unreasonable preference or advantage to, or in favour of any particular person or Company, or any particular description of traffic in any respect whatsoever." The Chamber inclines to the opinion that owing to the preferences, or advantages, reserved by the Government for itself being too liberal, the financial results of Railways in India are to a considerable extent misleading, and it would therefore be glad to see the arrangements amended, so that for the future the various guaranteed and private Companies may obtain equitable payment, or at least book credit for the work that they perform for the State. By such a course the budgets of various Departments would be increased, but the Railway Companies would gain to that extent, and there would consequently be more inducement for private enterprise to promote railway undertakings than is likely, the Chamber apprehends, to be discovered by capitalists in the Bill under notice.

Inspectors of Railways.—Chapter II. is devoted to the definition of the duties and powers of persons appointed from time to time by the Governor-General in Council to be Inspectors of Railways. It seems to the Chamber that these duties and powers demand for their efficient discharge and exercise a ripe knowledge, based on a thorough training, of all branches of the working of a railway, and that looking to the dimensions that the Railway system has already attained in India, it should be conducive to the interests of the public and the State, if the Government were to constitute a special Railway Service, officered exclusively by Railway experts, from among whom the Inspectors could always be drawn. The imitation caused to professional Railway men by their subordination to amateurs belonging to the military branch of the executive, must be known to the Government, and the Chamber urges that if the time has arrived for the embodiment in a General Act of the obligations of Railway Companies, the occasion is favorable for reconsidering the greater question of Railway control, in view to this country obtaining as required the services of specialists, who shall become the chief repositories of the confidence of the Government in the Railway Department. A semi-military Railway Department can only be justified on the plea, which the Government would of course not care to put forward, that the general supervision of railways in this country cannot be safely entrusted to men who have from their youth been educated in the management, or construction of railways in Europe. The system is calculated both to discourage Railway men already in the country, who find their hands fettered, and their opinions over-ridden by military officers with far less railway experience than themselves, and to deter first-class Railway men in England from accepting what they hear is an invidious position under the Government of India. The association of officers whose *spècialité* is military engineering with professional Railway men in the control and development of Railways in this country, is naturally regarded with approval by the Department from whom the former are drawn, but the arrangement is opposed to the commercial practice of entrusting business that requires for its transaction special knowledge to men, who by the circumstances of their previous career are presumably likely to do the utmost possible justice to it.

Land.—In Section 14 it is provided that land "required for the purposes of a railway shall be acquired by the Governor-General in Council, and possession thereof shall be given to the railway administration on such terms as may be mutually agreed upon between the Governor-General in Council and the Railway Administration." In the absence of any statement to the contrary this would seem to clash with the terms of existing contracts with Guaranteed Companies for the acquisition of land as required for railway purposes. It seems therefore desirable to mention that it will only govern future contracts into which the Government may enter.

Telegraphs.—Chapter IV. To prevent interference with the Government Telegraph Department the Railway Companies are denied by Sections 24 and 25 the right of erecting telegraph wires for railway purposes along their lines. The duty is undertaken at its own discretion by the Government, and the lines so erected by the State for railway purposes are exclusively worked by the Railway administration, subject to the provisions of the Indian Telegraph Act. But the Government reserves, by Section 26, the right to construct and work Government Telegraphs on railways free of the control or interference of any Railway Administration. In Section 27 it is stipulated that at all times free passes shall be furnished to persons employed by the Government "in or about, or in connection with the erection, maintenance, working, or inspection of the telegraphs

and telegraphic appliances along its line of railway." And in Section 28 it is provided that "every Railway Administration shall carry free of charge over its railway all maintenance stores of the Government Telegraph Department necessary for the maintenance of the telegraph lines and offices on the railway." The Chamber submits that the Government Telegraph Department should pay for the carriage of *employès*, and of maintenance stores in regard to all lines worked under Section 26.

Railway Police.—Chapter V. confers upon the Government the power of establishing and maintaining such a force of Railway Police as it may deem desirable, the cost thereof being divided by the Government and the Railway Administration in the ratio of 3 to 7. The Government agrees to consult the Magistrate of the District, the Inspector General of Police, and the Railway Administration as to the strength, pay, leave, allowances, gratuities, and pensions of the force, but the Government is not bound to act upon the opinions which may be offered. As a general rule the Magistracy and Police authorities may take a more liberal view of police requirements than may be acceptable to the Railway Administration on which seven-tenths of the pecuniary burden will fall, and it seems to the Chamber that shareholders are entitled to greater protection than this Chapter affords against being taxed for a police in excess of what the railway authorities are taught by local experience to consider necessary for the due maintenance of law and order, and the protection of property on the line. Moreover it seems to the Chamber that the efficiency of the Railway Police may be impaired if the force is not immediately responsible to the Railway executive.

Conveyance of Mails.—Chapter VII. secures to the Government the great advantage of the conveyance of Mails by railway at a cost which is doubtless very small as compared with that of runners, vans, and other modes of transport which have been superseded. But the Chamber shares the widely entertained suspicion that the shareholders of the Guaranteed Companies do not obtain from the Government reasonably liberal terms for the service rendered on their behalf to the Post Office. In consideration of the grant of land, &c., the Railway Companies may fairly be expected to make important concessions to the Government, but it would be interesting to learn on the authority of Railway Officers, whether the carriage of the mails involves responsibilities and expenditure for which the payments by the Post Office offer inadequate compensation.

Conveyance of Her Majesty's Forces.—In Section 56 it is provided that all persons in Her Majesty's "forces, under the rank of commissioned officers shall be entitled to travel in second class carriages at the lowest fares," such lowest fares by a mail train being "the lowest fare charged to the public for a passage by that train"; and "by troop extra train or by other passenger train (not a mail train), the lowest fare charged to the public by any passenger train on the particular railway travelled over." It is suggested that the Government should pay the fares demanded by any ordinary passenger train, and should not demand the reductions from normal fares made occasionally under exceptional circumstances to persons attending native festivals, &c.

Latrine Accommodation.—In Section 74 it is laid down that "every Railway Administration shall provide latrine accommodation in its passenger carriages of all classes, when used for through journeys of a greater length than 50 miles:" and by Section 155:—"Any Railway Administration omitting to provide latrine accommodation in its passenger carriages, as required in Section 74, shall be liable to a fine not exceeding one hundred rupees for every carriage not so pro-

vided, and for every day on which such carriage is used." The inconvenience caused to native passengers under existing circumstances admits of no denial, and if this could be overcome in the manner suggested without imposing an unreasonable tax upon the Railway Companies, the popularity, though not the revenue of Railways would be increased. But to carry out the requirement of the former Section the second, third, and fourth class carriages would have to be partially reconstructed; their carrying power would be reduced, (in order to make room for the latrines); the carriages themselves would speedily be rendered nauseous; and the condition of the permanent way might be rendered inimical to public health. Experience seems to show that if trains stop at comparatively short distances, and if latrine accommodation at stations is provided, all has been done that local circumstances admit of for the comfort of the great bulk of passengers. The proposed fine not exceeding Rs. 100 per diem for every passenger carriage not provided with latrine accommodation would, if enforced, yield a large revenue to the Government since on the 31st December 1884 there were 7,370 coaching vehicles engaged on the various lines in India. In the Chamber's opinion the two Sections under reference are impracticable, and should therefore be omitted.

Offences by the Railway Administration.—Chapter XII. contains a long list of pecuniary penalties to which Railway Administrations will be liable for the neglect or violation of rules made for their governance. The Chamber does not perceive the utility of these fines, since, in the case of State Lines they will be paid by the State to the State, and in the case of Guaranteed Lines they will be borne by the State, when the guaranteed interest has not been earned by a Company, and the deficiency has to be made good by the State. The transfer of money, under the guise of fines, from one pocket to another can serve no more useful purpose than that of furnishing a record of neglect. The expediency of imposing penalties upon Administrations that are found to be deficient in a punitive character is open to doubt. This remark does not apply to the portion of the Chapter which provides for the infliction of penalties on individuals, for personal neglect or violation of regulations, &c.

Arbitration.—The reservation by the Government of the right to require the submission to arbitration of disputes between two or more Railway Administrations, or between a Railway administration and any other person or authority, has the Chamber's full approval.

These remarks do not embrace all the criticisms which the Chamber might make on the Bill, but they will probably suffice to illustrate two points: firstly, that, in the opinion of the Chamber, the necessity for the proposed enactment has not been satisfactorily established: and, secondly, that in the Chamber's opinion the time has arrived for the Government to make a new departure in its Railway policy, in view to the substitution of experts for the anomalous military element in the Railway executive, and in the more liberal recognition of the right of Companies to equitable payment for the services that they are required to render to the State.

I have the honor to be, Sir,

Your most Obedient Servant,

(Signed) J. A. BOYSON,

Chairman.

(No. I.)

No. 251

5,000—14-11-85.

MADRAS RAILWAY.

AGENT AND MANAGER'S OFFICE,

MADRAS, 5th March 1886

From

The Agent and Manager.

To

The Consulting Engineer for Railways.

SIR,

Latrine accommodation in IIIrd Class Carriages.

During a discussion by the Committee of the Chamber of Commerce yesterday upon the new Railway Act attention was drawn to a clause in which it is laid down that every train shall have at least one IIIrd Class compartment set apart for female passengers and in such compartment a latrine should be provided.

To the provision of a special compartment for females there is

of course no objection. This accommodation is already provided, but I am very strongly of opinion that latrines in IIIrd Class Carriages should not be provided on the grounds, that there is no room for them, that if they were provided sufficient privacy could not be given, and last but not least that they would be an offensive and mischievous nuisance.

Several Experiments have been made on this railway with a view to providing IIIrd Class latrine accommodation but nothing satisfactory could be produced without the sacrifice of a very large amount of space.

As to the nuisance these latrines would cause, Evidence may be obtained by noticing the offensive smell which proceeds from the

MADRAS RAILWAY.

From The Agent and Manager.

To The Consulting Engineer for Railways.

Dated 188

Recd.

No.

Post-Office Vans as they come in with the morning mails.

To meet the provision required by the Act at least half the III Class stock would have to be fitted with latrines.

The III^d Class latrine accommodation at Stations is admittedly open to improvement and efforts are being made to meet the wants of the passengers in this respect.

I enclose for your information in order to show the public opinion of these III^d Class Carriage latrines a printed letter from the Chairman of the Madras Chamber of Commerce to the Under Secretary of the Govt. of India dated 27th June 1885 and I would suggest for your consideration that a representation be made to

MADRAS RAILWAY.

From The Agent and Manager.

To

The Consulting Engineer

for Railways.

Dated 188

Recd.

No.

Government, before it is too late, to omit from the Act any Compulsory Clause as to latrine accommodation in the carriage.

I have the honour to be

Sir,

Your most Obed^t Serv^t

W. Innes

Ag. Agent & Manager.

REGISTER
No. 314
FILE
No.

P.W. Dept
2554/90

MADRAS RAILWAY.

From

The Agent and Manager.

To

The Consulting Engineer
for Railways.

Dated 23 March 1890
Recd. 24
No. 257

R. Lahore Ravine
work station in Mysore
Cam Canna Co.

Subject

Form No. 1.

PUBLIC WORKS DEPARTMENT.

OFFICE OF CONSULTING ENGINEER FOR RAILWAYS,

Madras, 11th *March* 1890.

Letter from the Agent and Manager, Madras Railway, No. 251, dated 5th March 1890, with one enclosure.

No. 174

SUBMITTED _____ to _____ Government for transmission to the Government of India.

Sidney Smith
Major R.E.
for Consg. Engr. for Rys.

Form No. 3.

B. No. 392 R. 19th March 90.

From

THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS,

No. 174

Dated 11th
Received 12 } March 1890.

No. OF ENCLOSURES. 2

Subject.

R. Submits letter from the Agent and Manager, Madras Railway requesting that, for reasons stated, Government may be addressed with a view to any compulsory clause as to provision of latrine accommodation in third class carriages being omitted from the new Railway Act.

B.
No. 392-93 R. dy 19th March 90.

Ld. 15/3/90

has 4 Mar Ordered to be forwarded to the Govt. of India.

G. G. No. 393 R. dy 19th March 1890. Forwarded

C. L. S. 13. 3. 90

Rec'd 19/3/90

Ans-13-3-90 OR 14-3-90.

No. 338
39

WALTAIR, 12th February 1890.

From

THE ENGINEER-IN-CHIEF, EAST COAST RAILWAY.

To The Consulting Engineer
for Railways
Madras

P10 Sue 2
2305/90

Dr

Sir

I have the honor to forward herewith supplemental travelling allowance bill for December comprising the arrears of claims disallowed by the Examiner together with three statements showing Examiner's disallowances and my explanations thereto and to request you will be good enough to take necessary steps to have the charges passed at an early date.

Out of Bills forwarded, 19 items have been disallowed which may be divided as follows:-

Nos 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13 are on account of carriage of my horse from Bhagalpore to Madras and back to Vizagapatam and charges connected therewith. You suggest in your letter that I should supply the Examiner with the Telegram from the Government of Madras directing me to join fully equipped. I beg to inform you that on my return from Bolaeamund to Madras on submitting my first Travelling Bill, I personally handed to the Examiner of Accounts the telegram referred to.

Items 3, 4 & 14 refer to the carriage of my dog Cart, for these I request the sanction of the Madras Government.

Nos 15, 16 & 19 are on account of Steamer fare from

from Cocanada to Vizagapatam for myself
2 Servants and a Chuprassee for which the
Examiner demands a receipt. Now I beg
to state that I forwarded to the Examiner a
certificate from the Steamer Agent, that on the
date specified I paid the amounts demanded
to the Company for the passage of myself
& Servants and Chuprassee - Beyond this
Voucher for the accuracy of the Charge I
absolutely do not know what other receipt
is required - The Steamer ticket received from
the Agent is invariably handed over to the
Ship Steward on board but to avoid difficulty
I always obtain a certificate as above noted
showing that I took and paid for a passage.
If this is not sufficient, I am completely at
a loss to know what is required - If there is
any special form, I never heard of it &
I submit that the document received from
the Agents and sent to the Examiner is full
evidence that the journey was performed
and the fares paid.

Item No 17 is my Head Clerk's travelling allowance from Nagpur to Vizagapatam.
This man was engaged by me in Nagpur
after I failed in Madras through both
Examiners to get a man fitted for the post.

Now I beg to state, that in the face
of the telegram ordering me to join fully
equipped & the Certificates from the Steamer
Agents in support of the ship Charges having
been given to the Examiner of Accounts,
his disallowances are most unjust, unnecessary and vexatious and I beg that
you will arrange for an early passing
of the Charges made and issue such
instructions

Item 13-3-90 R 14-3-90

instructions as will prevent the possibility
of the repetition.

I have the honor to be
Sir
Your most obedient Servant

J. W. Walker
Engineer-in-Chief
E. C. Ry

Enclosures (1 T. A. Bill vide 13 marks + 3 Pcs.)

REGISTER
No. 113
FILE
No.

Encl 1 to Abstract
13 Vouchers
3 Orderly

pwhet
2305 pp

Copy of a Telegram from
Works, Madras, to J.B. Wilson Esq
dated 8th August 1889

Your Head Quarters will probably
be Vizagapatam x please come
to Madras fully equipped x If you
join on or about first September
the Government desire your presence
for a short time at Polavaram

True Copy
J. B. Wilson
Executive Engineer in Chief's Office
E.C.R.

Encl

Ajm-13-3-90 OR 14-3-90.

1032

1890

the Examiner

Note by the Examiner of Vouchers
Accounts No 1115 dated 31st March 1890

As it is now evident that Mr Walker has been ordered to join fully equipped items 1, 2, 12, 15, 16 and 19 of the Supplemental travelling allowance bill for December 1889 now submitted are admissible if supported by regular vouchers At present only unstamped certificates have been furnished, but if ordered by Government these certificates will be accepted as vouchers.

2. Items 8, 9, 10 and 13 are now admissible, stamped vouchers having been now forwarded.

3. Items 3, 4 and 14 being charges for the carriage of a dog-cart, Items 5 and 6, charges for hire and return of horse box, Item 7, return fare of syce and Item 11, charges for superintending the shipment of a horse and horse box, are all inadmissible.

4. Item 17 will be admitted if sanctioned by Government under Article 1192 Civil Service Regulations, being travelling allowance of a re-employed pensioner.

5. Item 18 is now admissible the required certificate having been furnished.

...ming is known in this office of
...gram alleged to have been left here by
Mr Walker.

7. It is evident from the steamer agent's remarks on their certificates that stamped receipts for passage money were furnished. These are the vouchers required by Code rule and which are invariably furnished by other officers.

(True Copy)

Sidney Smith
Major R.E.
for Secy to Govt for Rys.

Dr.

P.W. Enc! 2303/90

...unless the Examiner
...inexplicable.

FORM No. 1.

PUBLIC WORKS DEPARTMENT.

OFFICE OF CONSULTING ENGINEER FOR RA...

Madras, 5th March 18...

Letter from the Engineer-in-Chief E... Coast Survey No 338/39 dy/12th Februar... with enclosures.

Note by the Examiner of Public Works accounts No 1115 dy/3-3-1890.

No. 158

SUBMITTED for the orders of ..... Government.

2. The Engineer-in-Chief East Coast Survey submits a supplemental travelling allowance bill for December 1889 with the Examiner's reasons for the disallowances of certain items, and his explanations thereto, and asks that steps may be taken to have the charges passed. Certain items have since been passed by the Examiner of Pub...

...mma is Ka...

...gra...

Mr Wa... supported by —

...amped certificates.

7.

remark that if ordered by —

receipts ...rnment, these will be

These a...epted as vouchers.

and m... ...uction is requested to item

offices

7 which is admissable under

para 1192 of the Civil —

Service Regulations, being

the travelling allowance

of a re-employed pensioner.

3. The orders of Government

are solicited with reference

to items 3, 4 & 14, charges

for the carriage of a dog cart,

items 5 and 6, for the hire

and return of a horse box,

item 7 the return fare

of a syce, and item 11

charges for superintending

fitments of a horse

box all of

may be done.

Sanction

III

Inadmissible

I think these are ad...
the carriage of the ho...
am I understand c...
incidental to the ...
by steamer.

Inadmissible

III

...d.

...t

I have the honor to report that the items of charges noted in the margin of the accompanying bill are inadmissable.

Sidney Smith
Major R.
For Consulting Engi...
For Railway

For orders.

C Smith Colonel R.E.
Supt. to Govt. P.W.D. Ry. Branch

Hyd. 11-3-90 R 113

Form No. 3.

From

THE CONSULTING ENGINEER

FOR RAILWAYS,

MADRAS,

P.W. Coll. 2303

B. No. 396 R. dy. 19th March 190.

No. 158

Dated 5th
Received 6 } March 1890.

No. of Enclosures. 20

Subject.

The unstamped certificates furnished by the Engineer-in-Chief East Coast Railway Survey will be accepted as vouchers for items 1, 2, 12, 15, 16, and 19 in the T. A. Bill.

2. Sanction is accorded under para 1192 of the C. S. Regulations to item 17 being the travelling allowance of Head Clerk Thakur Madhoo Singh a re-employed pensioner; also to items 5 and 6 for the hire and return of a ship horse-boy.

3. The charges referred to in items 3, 4, 7, 11 and 14 are inadmissible.

Submitting with remarks, a supplemental travelling allowance bill for December 1889, of the Engineer-in-Chief, East Coast Survey, with the Examiner's reasons for disallowances of certain items, and the Engr-in-Chief's explanations thereto.

B. No. 396 R. dy. 19th March 190.

To.

The Comp. Engr. for Rys.
" Engr-in-Ch. E. C. Ry. Sy.
" Engr P. W. accounts. with 17 vouchers.