1890.

Public Works (~~1900~~) Department.

RAILWAY BRANCH.

G.O., No. 1215 Ry

DATED 14th August 90

[Despatch Abstract.]

Process-fees on Complaints made by Railway Servants. — Proceedings, Judicial Department, regarding the levying of —, Communicated to the Consulting Engineer for Railways.

[P. W. Ry. 1,000—7-2-00.]

Indexed.

BACK PAPERS.

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

FURTHER PAPERS.

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

No 844

South Indian Railway,
AGENT'S OFFICE,

TRICHINOPOLY, 12th June 18[illegible]

From

The AGENT,
SOUTH INDIAN RAILWAY,

To

The CONSULTING ENGINEER FOR RAILWAYS,
MADRAS.

Sir,

I have received a report from this Company's Chief Engineer as under :—

"The Concluding part of Notification published "in the Fort St. George Gazette, dated 21-1-90 "runs as follows:—"

"2 Writs shall be ~~allowed~~ levied on process "issued upon Complaints by public Servants "or officers or Servants of a Railway Company, "acting in their official Capacity which under "Section 19, Clause XVIII of the Court fees act 1870 "are exempt from Complaint fees."

"The Prosecuting Inspectors of this Department were "advised of the Existence of this Notification and "told that by virtue thereof they are exempt, "while acting in their official Capacity, from the "liability of paying any fee either for Complaint "or process. The Prosecuting Inspector S. Parthicasa "Pillay however reports that both the Town and ~~Collectorate~~ "Courts Madras still refuse to grant a process on

his

"his application free of charge, thereby ignoring
"the Notification above quoted."

"I have therefore to request you
"to refer the matter to the proper authorities for
"a final decision".

Should it be the case, as it appears to be from the Notification referred to, that this Company is properly exempt from the payment of process fees at the Town and Export Bill Courts, Madras, will you please arrange that in future effect may be given to the Notification of Govt. at those Courts?

I am
Sir
Your most obedt Servant

Wallis J. Hooper

for Agent.

REGISTERED
No. 787
FILE 1
No.

PW Encl
5712/90

E.2
PW 7478/90

Gt. A.

1st 24-8-90

From
The Agent,
South Indian Railway,
Trichinopoly.

To
The Consulting Engineer for
Railways,
Madras.

Previous reference
Dated 12th June 1890
Received 14.6.90
R.344 No. 844.
Enclosure.

Form No. 1.

PUBLIC WORKS DEPARTMENT.

OFFICE OF CONSULTING ENGINEER FOR RAILWAYS,
Madras, 16th June 1890.

Letter from the Agent, South Indian Railway, No. 844, dated 12th June 1890.

No. 421

~~Government.~~

SUBMITTED. for the orders of Government with reference to para 2 of Notification No. 27, dated 15th January 1890, published on page 54 of the Fort St. George Gazette of the 21st January 1890.

A.D.G. Stratton Capt. R.E.
For offg. Consg. Engr. for Rys.

1890

P. W. Department.

Current No. 5712.

From The Consg: Engr
for Railways

Enclos.— 1

No. 421
Dated 16-6-90
Received 18-6-90

Subject.

Process fees.

Forg letter from Agent S.I.Ry requesting that the Rly Co. may be exempted from payment of — with refce to recent notification in the Govt Gazette which authorises such exemption.

Disposal.

No. 329 D. Dated 21. VI 1890.

Transferred to the Judicial Dept for favr of necessary action.

Sd
J.R.K. Dr.

21/6.

Dispatched 21/6/90

W.

21/
PW 7478/89

Advd 24 Jun 90
2

Advd 17. VI

Judicial. *Department.*

CHIEF SECRETARIAT. MADRAS.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following ~~paper~~:—

Endorsement of the Public Works Dept. ~~D~~ 21 June 1890, N° 329 D. transferring letter from the Consulting Engineer for Railways, Madras, 16 June 1890. N° 421, submitting letter from the Agent, South Indian Ry., regarding the exemption of the Railway Company from the payment of process fees at the Town & Egmore Police Courts, Madras.

Read also report from the Ag. Chief Presidency Magistrate, Egmore, Madras. 1st July 1890. N° 138.

Order, 30 July 1890. N° 1272.

The Agent of the South Indian Railway will be informed in the Public Works Department that the Govt regrets that the notification published in the Fort Saint George Gazette of the 21 January 1890 referred to by him, does not apply to the Courts of Presidency

Presidency Magistrates, who are required under section 57 Act IV of 1877 to levy fees for processes except when the complaint is made by a public servant in the execution of his duty.

True Extract
V V Reddy
Major &
Land Secretary
for Chief Secretary

To

The Public Works Dept (Legislative Branch)
(with 2 enclosures)

Dy. No. 2

[6] PWC 8: 7478

Govt. of {18 } Madras.

To

The P.W. Depte
Railway Branch

P.W.D. 8.93. E.2

Proceedings, dated 30 July 1890
No. 1272

Subject.

Re the levying of process fees on complaints made by Railway Servants.

Ft 8/8/90

B
No. 1215 R 19th August 1890.

B
No 1215 R 19th August 1890.

Ft 1578/90

Communicated to the Consulting Engineer for Railways with reference to his endorsement No. 421 dated 16th June 1890.

For Secy. R

To
The Consulting Engr for Rlys.
- Exr. & Rly. Accts

D 22/8

PWC 1578/90
Mem. 19/8. R 1578