

Public Works (1890) Department.

RAILWAY BRANCH.

G.O., No. 1605 Ry.

DATED 24th October

[Despatch Abstract.]

His Highness the Maharajah of Travancore. —
Proceedings, Political Department, Communi-
-cating to the Collectors of Trinnevely and
Madura with instructions letter from the acting
Resident regarding the proposed visit of — to
Rameswaram, &c, Communicated to the Consult-
-ing Engineer for Railways for information.

Indexed.

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

7. I forward herewith four copies of the rough programme of His Highness' journey,

PROGRAMME of His Highness the Maharaja's trip to Ramesvaram and back, November 1890.

Distance.	Leave.	Station.	Month and Date.	Day of the week.	Arrive.	Station.	Month and Date.	Day of the week.
Miles.			1890.				1890.	
11	"	Trivandrum	8th November	Saturday	"	Neyyattineuray	8th November	Saturday.
12	"	Neyyattineuray	8th	Do.	"	Coolithoray	8th	Do.
21	"	Coolithoray	9th	Sunday	"	Thiruppathisarem	9th	Monday.
5	"	Thiruppathisarem	11th	Tuesday	"	Thovalay	11th	Tuesday.
22	"	Thovalay	11th	Do.	"	Nanguneri	12th	Wednesday.
22	"	Nanguneri	12th	Do.	"	Tinnevely	12th	Do.
98½	"	Tinnevely	14th	Wednesday	"	Madura	14th	Saturday.
12	"	Madura	14th	Friday	"	Tirupuvanam	15th	Sunday.
18	"	Tirupuvanam	16th	Sunday	"	Vanamathura	16th	Monday.
15	"	Vanamathura	17th	Do.	"	Paramakudi	17th	Monday.
23	"	Paramakudi	18th	Monday	"	Rannad	18th	Tuesday.
15	"	Rannad	19th	Tuesday	"	Navapashanom	19th	Wednesday.
12	"	Navapashanom	20th	Wednesday	"	Oochipully	20th	Thursday.
4	"	Oochipully	21st	Thursday	"	Mandapom or Mykoond.	21st	Friday.
8	"	Mandapom or Mykoond.	22nd	Friday	"	Pamban	22nd	Saturday.
16	"	Pamban	23rd	Saturday	"	Ramesvaram	23rd	Sunday.
	"	Ramesvaram	24th	Monday	"	Cheety Satrum	25th	Do.
	"		10th		"			Tuesday.

Return Journey.

16	"	Cheety Satrum	26th	Wednesday	"	Ramesvaram	27th	Thursday.
8	"	Ramesvaram	28th	Friday	"	Pamban	28th	Friday.
4	"	Pamban	28th	Do.	"	Mandapom or Mykoond.	29th	Saturday.
12	"	Mandapom or Mykoond.	29th	Saturday	"	Oochipully	29th	Do.
14	"	Oochipully	30th	Sunday	"	Rannad	30th	Sunday.
8	"	Rannad	1st December	Sunday	"	Dhurubasayanam	1st	Monday.
23	"	Dhurubasayanam	2nd	Monday	"	Paramakudi	2nd	Monday.
15	"	Paramakudi	2nd	Tuesday	"	Vanamathura	3rd	Wednesday.
18	"	Vanamathura	3rd	Wednesday	"	Tirupuvanam	4th	Do.
12	"	Tirupuvanam	4th	Do.	"	Madura	4th	Thursday.
98½	"	Madura	5th	Thursday	"	Tinnevely	6th	Saturday.
22	"	Tinnevely	7th	Friday	"	Nanguneri	8th	Monday.
6	"	Nanguneri	8th	Monday	"	Thirupuvanam	8th	Monday.
9	"	Thirupuvanam	9th	Sunday	"	Thirupuvanam	9th	Tuesday.
13	"	Thirupuvanam	9th	Sunday	"	Thirupuvanam	9th	Wednesday.
21	"	Thirupuvanam	10th	Tuesday	"	Thirupuvanam	10th	Thursday.
8	"	Thirupuvanam	11th	Wednesday	"	Thirupuvanam	11th	Friday.
8	"	Thirupuvanam	12th	Thursday	"	Thirupuvanam	12th	Saturday.
12	"	Thirupuvanam	13th	Friday	"	Thirupuvanam	13th	Sunday.
11	"	Thirupuvanam	14th	Saturday	"	Thirupuvanam	14th	Monday.

ORDER—dated 26th September 1890, No. 473 Political.

Communicated to the Collectors of Tinnevely and Madura, who will issue the necessary instructions and facilitate the Maharaja's journey.

2. The arrangements suggested in the fourth paragraph of the Diwan's letter should be adopted, details being settled by the Collectors in communication with the Accountant-General, and a Police guard of four men should be supplied.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Collector of Tinnevely.
" of Madura.
" Public Works (Railway).
" Inspector-General of Police.
" Accountant-General.
" Resident in Travancore and Cochin.

Exd. W. H. French.

Signed & sealed and followed

2112 P-9778 ✓
Govt. of (1890) Madras.

POLITICAL

Issued

Recd.

15-10-90

Encl.

14 October
G.O., 26th September 1890, No. 473

B. No. 1605 R of 24-10-90

SEPTEMBER.

His Highness the Maharaja of
Travancore.

Communicating to the Collectors of Tinnevely
and Madura, with instructions, letter from the
Acting Resident regarding the proposed visit of
— to Ramesvaram, &c.

20 The Comptroller for R.R.
inf despatch with 15 copies
24-10-90
2 copies to only

B. No. 1605 R of 24-10-90

MS 20/10/90

Communicated
to the Consulting Engineer
for Railways for information.

He
25/10

38
15/10/90

D.R.

MS 16-10-90
MS 30/10/90

Under section 34 of the Indian Railways Act, 1890, the Governor General in Council is pleased to make the following rules for enabling Railway Commissioners to carry into effect the provisions of Chapter V of that Act and for regulating proceedings before such Commissioners and prescribing the fees to be taken in relation to such proceedings :—

PRELIMINARY.

Interpretation.

1. In the construction of these rules, and of the forms in the first schedule thereto, words importing the singular number shall include the plural, and words importing the plural number shall include the singular; and the following terms shall (if not inconsistent with the context) have the respective meanings hereinafter assigned to them; that is to say, "person" shall include any company or association or body of individuals, whether incorporated or not; "application" shall include a complaint under clause (a) of section 28 of the Indian Railways Act, 1890; "applicant" shall include a person making such a complaint; "defendant" shall include the railway administration against which such a complaint is made; "legal adviser" shall mean any advocate, vakil, attorney or pleader entitled to practise in any High Court within the meaning of that expression as defined in section 2, clause (11), of the General Clauses Act, 1868, and as used in section 30, sub-section (3), of the Indian Railways Act, 1890; and terms defined by the Indian Railways Act, 1890, shall, unless there is something repugnant in the context, have, in these rules, the same meanings as are assigned to them by that Act.

PROCEEDINGS BEFORE REFERENCE TO RAILWAY COMMISSION.

Applications under Chapter V of the Indian Railways Act, 1890, to the Governor General in Council.

2. An application to the Governor General in Council under Chapter V of the Indian Railways Act, 1890, for the reference of a case to a Railway Commission must be addressed by the applicant to the Secretary to the Government of India in the Public Works Department. It must be in writing, or printed, and signed by the applicant or his legal adviser, or, in the case of a company, association or body of individuals being the applicant, then by the chairman, manager, secretary or legal adviser of the company, association or body. It must contain a clear and concise statement of the facts, the grounds of the application, the interest of the applicant therein, and the relief or remedy to which the applicant claims to be entitled. It must be divided into paragraphs numbered consecutively, and it must be indorsed with the name and address of the applicant, and, if there is a legal adviser acting for him in the matter, with the name and address of such legal adviser.

3. An application complaining of anything done or of any omission made by a railway administration in violation or contravention of section 42, sub-section (1), (2) or (3), or section 44 of the Indian Railways Act, 1890, shall be for an order enjoining the railway administration complained of to desist from doing or to do the acts specified in the application, and it shall be according to Form No. 1 in the first schedule hereto, or to the like effect.

4. An application under section 28, clause (b) or clause (c), of the Indian Railways Act, 1890, shall be for an order determining the difference, and must be signed by both parties to the difference or their legal advisers.

5. An application under section 42, sub-section (4), clause (d), of the Indian Railways Act, 1890, shall be for an order allowing the rate, apportionment or route, or the rate, apportionment and route proposed by the applicant and objected to by the forwarding railway administration or administrations.

6. An application under section 46 of the Indian Railways Act, 1890, shall be for hearing and determining the question or dispute therein mentioned with respect to the terminals of the railway administration against which the application is made, and for deciding what is a reasonable sum to be paid to such railway administration in respect of such terminals.

7. If the Governor General in Council thinks fit to communicate an application to the railway administration against which it is made so as to afford the administration an opportunity of making observations thereon before he determines whether or not it shall be referred to a Railway Commission, he will give to the applicant notice of the communication of the application to the railway administration.

8. After consideration of the application and the observations (if any) which may have been made thereon by the railway administration against which it is made, the Governor General in Council will determine whether or not the application should be referred to a Railway Commission for decision.

9. Should the Governor General in Council be of opinion that the application ought not to be referred to a Railway Commission, the applicant will be informed accordingly.

10. (1) Should the Governor General in Council be of opinion that the application ought to be referred to a Railway Commission, the respective parties thereto will be so informed, and the application will be made over to the Registrar to the Railway Commissioners (hereinafter in these rules called the Registrar) and be filed by him.

(2) The Governor General in Council may make the reference of an application to a Railway Commission contingent on the fulfilment of any conditions which he may think fit to impose on the applicant, and such a condition may be that the applicant shall give such security for the payment of all costs likely to be incurred by the defendant as may be approved by the Secretary to the Government of India in the Public Works Department.

11. (1) When in the opinion of the Governor General in Council a Railway Commission ought to be appointed for the decision of applications which have been made over to and filed by the Registrar under the last foregoing rule, the Governor General in Council will appoint such a Commission and the time and place or times and places at which the Commissioners are to sit.

(2) The time and place of the sitting at which each such application is to be heard will be notified by the Registrar in the Gazette of India and to the respective parties to the application.

PROCEEDINGS AFTER REFERENCE TO RAILWAY COMMISSION.

Indorsement on application referred to Railway Commission.

12. (1) In all proceedings (except proceedings under section 28, clause (b) or clause (c), of the Indian Railways Act, 1890) a copy of the application shall be indorsed by the Registrar with a notice to the defendant that he must put in an answer to the

application within thirty days from the service thereof, and that in default of such answer being put in within such time a Railway Commission may proceed to hear the said application *ex parte*. Such indorsement shall be according to Form No. 2 in the first schedule hereto.

(2) In proceedings under section 28, clause (b) or clause (c), the indorsement shall be according to Form No. 3 in the first schedule hereto.

Service of the application.

13. A copy of the application indorsed as aforesaid may be served by forwarding the same by post in a registered cover addressed to the defendant, or, where the defendant is a railway administration or a company, to the manager or agent of the administration or the chairman or secretary of the company at its principal office in India.

Consent cases.

14. The parties may, by consent in writing filed with the Registrar, dispense with the formal proceedings hereinafter mentioned or some portion of them, and orders by consent may be drawn up, and, if approved by the Commissioners, may be signed by them.

Answer.

15. Within thirty days from the service of the application, the defendant shall file with the Registrar his answer to the application, and leave with him three copies of the same, and the defendant shall within such time deliver to the applicant or to his legal adviser a signed copy of the answer. The answer shall contain a clear and concise statement of the facts which form the ground of defence, or of any other objections relied upon. It may admit the whole or any part of the facts stated in the application. It shall be divided into paragraphs numbered consecutively, and shall be signed by the person who actually makes the same and is acquainted with the facts stated therein. It shall be indorsed with the name and address of the defendant and, if there is a legal adviser acting for him in the matter, with the name and address of such legal adviser. It shall be according to Form No. 4 in the first schedule hereto, or to the like effect.

Reply.

16. Within thirty days from the delivery of the answer to the applicant he shall file his reply (if any) with the Registrar, and leave with him three copies of the same, and shall within such time deliver to the defendant or to his legal adviser a copy of the reply. The applicant in such reply may object to the said answer as being insufficient, stating the grounds of such objection, or deny the facts stated therein, or may admit the whole or any part of such facts. The reply shall be signed by the applicant or his legal adviser, and be according to Form No. 5 in the first schedule hereto, or to the like effect.

Pleadings after reply by leave.

17. No pleading subsequent to reply shall be pleaded without leave of the Commissioners.

Issues.

18. (1) When the pleadings are complete the Commissioners shall proceed to frame therefrom the issues of fact or law appearing to arise on the application.

(2) The Commissioners may at any time amend the issues or frame additional issues if they are of opinion that such amendments or additional issues are necessary for the decision of the application.

Preliminary questions of law.

19. The Commissioners may, by consent of the parties to any proceedings before them, or on the application of either party, order any point of law raised by the pleadings to be heard and disposed of before the hearing of the application. The argument of such point of law shall take place before the three Commissioners, and upon such hearing, if in the opinion of the Commissioners the decision of such point of law substantially disposes of the whole application, the Commissioners may order that the argument shall be the hearing of the case, and thereupon may make such order with respect to the application as may seem to them just.

Preliminary meeting.

20. If it appears to the Commissioners at any time before the hearing of the application that it will be to the advantage of the parties to hold a preliminary meeting for the purpose of determining the mode of conducting the inquiry, the admitting of certain facts or the proof of them by affidavit, or the consolidation of the application with any other application, or for any other purpose, they may hold such meeting upon giving notice thereof to the parties, and may thereupon make such order as shall seem to them fit in the circumstances.

Inspection of documents.

21. Either party shall be entitled at any time before or at the hearing of the case to give a notice in writing to the other party, in whose application or answer or reply reference is made to any document, to produce the document for the inspection of the party giving such notice, or of his legal adviser, and to permit him to take copies thereof, and any party not complying with such notice shall not afterwards be at liberty to put any such document in evidence on his behalf in such proceeding without the leave of the Commissioners, unless he satisfies the Commissioners that he had sufficient cause for not complying with such notice.

Notice to produce.

22. Either party may give to the other a notice in writing to produce such documents as relate to any matters in difference (specifying the said documents), and as are in the possession or control of such other party, and, if such notice is not complied with, secondary evidence of the contents of the said documents may be given by or on behalf of the party who gave such notice.

Notice to admit.

23. Either party may give to the other party a notice in writing to admit any documents saving all just exceptions, and, in case of neglect or refusal to admit after such notice, the costs of proving such documents shall be paid by the party so neglecting or refusing, whatever the result of the application may be, unless at the hearing the Commissioners certify that the refusal to admit was reasonable.

Notice of discontinuance.

24. When any application referred to the Commissioners is withdrawn or settled, the applicant shall immediately give notice of the withdrawal or settlement to the Registrar.

Witnesses.

25. The attendance of a witness with or without documents shall be enforced by summons which may be obtained, on application to the Registrar, by either party requiring the attendance of the witness. The summons shall be according to Form No. 6 or Form

No. 7 in the first schedule hereto and may be served through any Court of Civil Judicature. The witness shall be entitled to the same protection as a witness summoned to attend a High Court, and the laws and practice in force for the time being relating to witnesses in a High Court shall apply to such witness in proceedings before the Commissioners.

Affidavits.

26. The Commissioners may at any time, and whether before or at the hearing, for sufficient reason order that any particular facts may be proved by affidavit, or that the affidavit of any witness may be read at the hearing on such conditions as they may think reasonable:

Provided that when it appears to the Commissioners that the other party *bonâ fide* desires the production of a witness for cross-examination, and that such witness can be produced, an order shall not be made authorising the evidence of such witness to be given by affidavit.

27. Affidavits shall be confined to such facts as the declarants are able of their own knowledge to prove. The costs of every affidavit which shall unnecessarily set forth matters of hearsay or argumentative matter or copies of or extracts from documents shall be paid by the party producing the same.

28. Affidavits used in any proceedings before the Commissioners shall be filed in the office of the Registrar, and office copies of the same and of other documents filed in his office may be procured by the parties on application to him and at their expense.

29. The oath of the declarant of an affidavit to be used before the Commissioners may be administered by one of the Commissioners, or by the Registrar, or by any Court or Magistrate, or by any officer having authority to administer the oath of the declarant in the case of an affidavit under the Code of Civil Procedure.

View.

30. In any case in which, in the opinion of the Commissioners, a view is necessary or desirable, it may be had by one or more Commissioners as they may direct.

Depositing maps, plans and other documents.

31. The parties shall leave with the Registrar one week before the day fixed for the sitting of the Commissioners any maps, plans, sections, timetables and other documents which are referred to in the application, answer or reply, or which may be useful in explaining or supporting the same.

Hearing.

32. The hearing of a case when once commenced shall proceed, so far as may be practicable, from day to day.

33. If the applicant does not appear when the Commissioners are ready to hear his application, they may dismiss the application; and if the defendant does not appear when the Commissioners are ready to hear the application, and they are satisfied that the time and place of the sitting were duly notified to him, they may hear and determine the application *ex parte*; and if at any adjournment of the hearing the parties or either of them do not appear the Commissioners may decide the case in their absence.

Decision.

34. (1) The Commissioners shall give their decision in writing, signed by them, and the Registrar shall cause copies thereof to be sent or delivered to the respective parties.

Decision.

(2) The decision may dismiss the application or be an order thereon in favour of the defendant or such other order thereon as may be warranted by the evidence and may seem to the Commissioners to be just.

Costs.

35. Costs shall be taxed by the Registrar, or by such other person as the Commissioners may direct, upon the order of the Commissioners under which the costs are payable.

Costs.

Review.

36. (1) An application to the Governor General in Council under the proviso to section 39 of the Indian Railways Act, 1890, to re-appoint the Commissioners for the purpose of hearing an application for a review of their decision must, unless the Governor General in Council sees fit to enlarge the time for making such application, be made within six weeks after the said decision has been communicated to the parties.

Review of decision.

(2) Every such application to the Governor General in Council must be addressed to the Secretary to the Government of India in the Public Works Department.

Registrar and Deputy Registrar.

37. (1) The Registrar shall be appointed by the Governor General in Council, and his office shall be open daily during office-hours and shall be located,—

Registrar, and time for transaction of business in his office.

(a) when the Commissioners are not sitting, then in the building occupied by the establishment of the Secretary to the Government of India in the Public Works Department, and,

(b) when the Commissioners are sitting, then in such place as the Commissioners may appoint.

(2) When the Commissioners are not sitting, and with their permission when they are sitting, the Registrar's office may be closed on days on which the office of the Secretary to the Government of India in the Public Works Department is authorised by him to be closed.

38. The Governor General in Council may from time to time, if occasion requires, appoint a Deputy Registrar to discharge temporarily all or any of the functions of the Registrar.

Temporary appointment of Deputy Registrar.

Computation of time.

39. The provisions of section 7 of the General Clauses Act, 1887, shall, so far as they can be made applicable, be applied in the computation of time for the purposes of these rules.

Computation of time.

Enlargement of time.

40. When the Commissioners who are to decide an application are not sitting, the Secretary to the Government of India in the Public Works Department, and when they are sitting they, may enlarge the time appointed by any of these rules for doing any act or taking any proceeding in relation to the application, and any such

Enlargement of time.

enlargement may be granted although the request therefor is not made till after the expiration of the time so appointed.

Amendment.

41. The Commissioners may at any stage of the proceedings allow any pleadings to be amended, or may order to be struck out any matters which may tend to prejudice, embarrass or delay the fair hearing of the case, and all such amendments shall be made as may be necessary for the purpose of determining the real questions in controversy between the parties.

Power of Commissioners to amend pleadings.

Formal objections.

42. No proceedings before the Commissioners shall be defeated by any formal objection.

Formal objections not to prevail.

Applicability of practice of High Courts.

43. The general principles of practice in the High Courts may be adopted and applied at the discretion of the Commissioners to proceedings before them.

Practice in cases not expressly provided for by these rules or Act IX, 1890, s. 30 (1).

Transmission of documents by post.

44. Pleadings and other documents required by these rules to be filed with the Registrar may be sent by post in covers addressed to the Registrar to the Railway Commissioners and prepaid.

Sending of documents by post to Registrar.

Table of fees.

45. The fees, a table whereof is in the second schedule hereto, may be demanded and taken in respect of the proceedings before the Commissioners.

Table of fees.

SCHEDULES.

FIRST SCHEDULE.

Forms.

- No. 1.—Application under section 28 (a), Act IX, 1890 (rule 3).
- No. 2.—Indorsement on application [rule 12 (1)].
- No. 3.—Indorsement on application [rule 12 (2)].
- No. 4.—Answer (rule 15).
- No. 5.—Reply (rule 16).
- No. 6.—Summons to attend and give evidence (rule 25).
- No. 7.—Summons to produce documents (rule 25).

The forms in this schedule may be used in the cases to which they are applicable, with such alterations as circumstances may render necessary, but any variance therefrom, not being in matter of substance, shall not affect their validity or regularity.

No. 1.—Application under section 28 (a), Act IX, 1890 (rule 3).

To the Governor General in Council.

In the matter of the appli-
cation of A. B. against the
Railway Administration. { A.B. states that—
1.
2.

And the said A. B. applies to the Governor General in Council to have the matter referred to a Railway Commission for an order enjoining the said railway administration (here state concisely the nature of the application, as, for example,) to desist from giving any undue preference to themselves or other persons in the forwarding, or in the receiving, forwarding and delivering, for themselves or other persons, of goods, or in their charges for the same, over the said A.B. in the forwarding of such goods for him, and enjoining the said Railway Administration not to subject him to any undue prejudice in respect thereof.

Dated this day of 18 .

A. B.
or C. D.,

Legal Adviser to A. B.

No. 2.—Indorsement on application [rule 12 (1)].

To the within-named Railway Administration.

Take notice that, the Governor General in Council having referred the within application to a Railway Commission, you are hereby required within thirty days from the service upon you of the within application to put in your answer to the same, and take notice that in default of such answer being put in within such time the Railway Commission may proceed to hear the said application *ex parte*.

The within application is made by A.B., of (stating address and occupation), and (if there is a legal adviser in the matter) by C.D., of , 18 .
legal adviser to the said A.B., and was filed on the day of Registrar.

No. 3.—Indorsement on application [rule 12 (2)].

To the within-named Railway Administration or other party concerned.

Take notice that, the Governor General in Council having referred the within-mentioned difference (or differences) to a Railway Commission for its decision, you are hereby required, within thirty days from the service upon you of the within application, to put in your answer to the same, and take notice that in default of such

answer being put in within such time the Railway Commission may proceed to hear the said difference (or differences) *ex parte*.

Registrar.

No. 4.—Answer (rule 15).

Before the Railway Commission.

In the matter of the application of A. B. against the Railway Administration.

The Railway Administration, in answer to the application of A. B., states that—

1.

2.

acquainted with the facts stated therein.

This answer is made on behalf of the said Railway Administration by C. D. of , who is

Dated this day of 18 .

C. D.

No. 5.—Reply (rule 16).

Before the Railway Commission.

In the matter of the application of A. B. against the Railway Administration.

The said A. B., in reply to the answer of the said Railway Administration, states that—

1.

2. And the said A. B. admits that—

Dated this day of 18 .

A. B.

or C. D.,

Legal Adviser to A. B.

No. 6.—Summons to attend and give evidence (rule 25).

Before the Railway Commission.

In the matter of the application of A. B., Applicant,

against

The

Railway Administration, Defendant.

To

You are hereby required to attend before the Railway Commissioners at on the day of 18 , at the hour of , and so from day to day until the above application is tried, to give evidence on behalf of the applicant (or defendant).

Registrar.

No. 7.—Summons to produce documents (rule 25).

Before the Railway Commission.

In the matter of the application of A. B., Applicant,

against

The

Railway Administration, Defendant.

To

You are required to attend before the Railway Commissioners at day of 18 , at the hour of , and so from day to day until the above application is tried, to give evidence on behalf of the applicant (or defendant), and also to bring with you and produce at the aforesaid time and place (*specify documents to be produced*).

Registrar.

Note.—The witness may be summoned only to produce a document and not to give evidence. In that case this form should be modified accordingly, and the witness will be deemed to have complied with the summons in such modified form if he causes the document specified therein to be produced before the Commissioners at the time and place mentioned in the summons.

SECOND SCHEDULE.

TABLE OF FEES (RULE 45).

To be taken in relation to proceedings before Railway Commissioners.

	Rs.	A.	P.
Every summons	...	...	3 0 0
Office copy of proceedings, per hundred words or fraction of a hundred words	...	...	0 8 0
NOTE.—Copies of maps, plans, sections, and the like are to be paid for by the party requiring them according to the actual cost.			
Every hearing in the nature of an arbitration between railway administrations [Act IX, 1890, s. 28 (b) and (c)], each day or part of a day.	200	0	0
Every decision of such difference	...	...	100 0 0
Every hearing in the nature of an arbitration, one of the parties being other than a railway administration [Act IX, 1890, s. 28 (c)], each day or part of a day.	100	0	0
Every decision of such difference	...	...	50 0 0
NOTE.—The fee for the hearing is to be paid on each day by the party whose case is then being heard, unless the Commissioners otherwise order.			

NOTE.—All fees shall be collected by Court-fee stamps. Stamps representing the fee for a summons shall be affixed to the application for the issue of the summons. Stamps representing the fee for an office copy shall be affixed to the application for the copy. The paper bearing stamps representing any other fee must have enfaced thereon a description of the proceeding in respect of which the fee was paid. Every stamp filed must be cancelled in accordance with the law and rules for the time being in force for the cancellation of Court-fee stamps.

No. 614 R.T.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
RAILWAY TRAFFIC.

Simla, the 16th September 1890.

Railway Commissioners.

Read—

Rules proposed by the Government of India under section 34 of the Indian Railways Act, 1890, for enabling Railway Commissioners to carry into effect the provisions of Chapter V of that Act, and for regulating proceedings before such Commissioners, and prescribing the fees to be taken in relation to such proceedings.

RESOLUTION.—Before issuing the Rules read above, as having been approved of by the Governor General in Council, the Government of India is desirous of obtaining the opinions of all Local Governments and of the High Courts and Chief Courts in India on them.

ORDER.—Ordered that a copy of the draft Rules and Schedules therein referred to be forwarded to the Governments of Madras, Bombay, and the North-Western Provinces and Oudh for favour of an expression of their opinion, and that of the respective High Courts; to the Government of the Punjab for favour of the opinion of the Local Government and of the Chief Court of that Province; and to the Chief Commissioner of Burma for favour of his opinion and that of the Recorder at Rangoon.

Ordered also that a copy of this Resolution, and of the Rules and Schedules be forwarded to the Hon'ble the Judges of the High Court of Judicature at Fort William for favour of opinion.

Ordered further, that a copy of the Rules and Schedules be forwarded to the

The Government of Bengal.
The Chief Commissioners of the Central Provinces and Assam.
The Resident at Hyderabad.
The Agents to the Governor General for Central India, Rajputana, and Baluchistan.

Local Governments,

The Director General of Railways.

The Consulting Engineers to the Government of India for Railways, Calcutta, Lucknow, and Central Division.

Administrations, and

Officers noted in the

margin for favour of opinion.

R. A. SARGEAUNT, Lieut.-Col., R.E.,

Offg. Deputy Secretary.

Documents accompanying.

Rules referred to.

[G. C. F.]

No 1607 R 2/24 October 1890.

Forwarded to the
Judicial Department for
favor of obtaining the opinion
of the High Court.

Signed J. Gracy Esq. M.L.C.
Offr: R.

To.

The Judicial Dept.

in other branches of the department; Communicated to the
Consulting Engineer for Railways.
[P. W. Ry.] Indexed.
600-8-5-00.