Political (1899) Department.

ORDINARY PRINTED.

G.O., No. 339

DATED 29-5-99

INDEXED.

[Despatch Abstract.]

Railways in Native States

Forwarding to the Govt of P.W. depts, and to Post Offices under this Govt. letter from the Govt of India on the subject of the nature & extent of the powers which that Govt desires to obtain & exercise over ——

31/5/99

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
788 774 846		Lodged 29.5.99					

Government {1899} of Madras.

POLITICAL.

Recd. } 1899. *Enclosures*

Regd. *Spare copies*

G.O., No. 339, 29th May 1899.

MAY.

Railways in Native States.

Communicating to the Revenue and Public Works Departments and to Political Officers under this Government letter from the Government of India on the subject of the nature and extent of the powers which that Government desires to obtain and exercise on —.

GOVERNMENT OF MADRAS.

POLITICAL DEPARTMENT.

Read—the following paper:—

From Captain H. DALY, Deputy Secretary to the Government of India in the Foreign Department, to the Chief Secretary to the Government of Madras, dated Simla, 1st May 1899, No. 1119 I-B.

The Government of India have recently had under examination the nature and extent of the powers which they desire to obtain and exercise on railways in Native States. The position which the Government of India seek to maintain and to have placed beyond risk of question is this. They do not ask for any cession of sovereignty, but for a cession of jurisdiction, such as to enable them to exercise, during the currency and in respect of the lands dealt with, all power and jurisdiction, whether administrative, legislative or judicial. Under no other arrangement can railway lands in Native States be satisfactorily administered by the Paramount Power. The object in view differs in no respect from that which has been aimed at in the past when cessions of "full jurisdiction" have been obtained. In a recent case, however, the Court found it necessary to examine certain correspondence, in order to ascertain what precisely was the jurisdiction declared by a notification of the Government of India to have been ceded by a Native Chief over a line of railway, and it was held, from the tenor thereof, that jurisdiction strictly limited to matters connected with railway administration was all that was, in fact, contemplated. The lesson to be learnt from this is that it is desirable that a cession of jurisdiction should, in future, be set forth in single, clearly expressed and self-contained document, so that the necessity for a reference to previous and probably vague correspondence cannot again arise.

2. The object will, it is thought, be secured if declarations are obtained in the enclosed form, which has been settled after consultation with the Secretary of State. The expression "full and exclusive power and jurisdiction of every kind" will cover all that the Government of India require.

3. It is not at present intended to attempt any immediate general revision of all railway jurisdictional arrangements with Native States; but it will probably be advisable to take steps to secure a cession in the new form if and when any difficulties arise under the arrangements now existing. The new form should also be used whenever fresh cessions of jurisdiction are required in connection with the construction of new lines of railway or the extension of existing systems. In cases of new extensions, convenient opportunities will perhaps occur for revising the original cessions.

Enclosure.

I, , of ,

hereby cede to the British Government full and exclusive power and jurisdiction of every kind over the lands in the said State which are, or may hereafter be, occupied by the Railway (including all lands occupied for stations, for out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands.

Order—No. 339, Political, dated 29th May 1899.

Communicated to the Revenue and Public Works Departments and, for information and guidance, to Political Officers under the Government of Fort St. George.

(True Extract.)

G. STOKES,
Chief Secretary.

To the Revenue Department.
" Public Works Department.
" Resident, Travancore and Cochin.
" Political Agent, Pudukkóttai.
" " Banganapalle.
" " Sandur.

Exd. A. F. Eccleston.

Poll. 7
800—11-6-07.

Political (1899) Department.

CURRENT No. 606

Ref Sp Pub 3 Pol 29-5-99 must be got from M. H.S. 15/7/99
was written to 15/5/99.

S/ Co. 463 Pol 29.9.99 put up below in a Confidential cover.
H.S. 21/5/99.

Read A of Current & Emplyment —

Order No 339 dy 29-5-99
~~Mis~~ Press

Commn, ~~in continuation of~~
~~GO No 34 Pol dy 11th Jany 1898~~
to the Revenue & Public Works Depts & to all Political Officers under the Govt of Fort St George for information & guidance —

H.S. 24/5/99 C.W.S. 29/5/99 M.S.

From

Mr Govt of India
Foreign Dept

No. 1119 I B.

Dated 1.5.99
Received 10.5.99
Registered 11. ~~D~~ 5.99.
Enclosures 1
Spare copies 7 & retained.

SUBJECT.

Prescribing new forms for cession of ~~jurisdn~~ to the Br. govt. of jurisdn over R/s lands in native states.

to Revs Dept —
" PWD —
" Revs to Ind C —
" P.C. Pudukkottai
" " Banganapalle despd 9-6-99
" " Sandur —
" "

Note — It does not appear necessary to read anything else in this despatch
Secy 9.6.99
Govt — S/ S.C to Mr. Rutnam file

BACK PAPERS.

G.O.	No.	Department.	Date.
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Mis	663	—	8.10.97
P.S.	579	—	30.8.97
Mis	126	—	25.2.87
—	720	—	28.10.95

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(Compd) Mis 463 — 29.9.90

G.O.	No.	Department.	Date.

First copy sent to Press.

Returned for signature.

Despatched in print.

Revd Acknr G.O. No. Dated 189

Number of copies required. { Order complete. / Letter only. / Order complete with Letter.

Enclosures to G. No.

Order of Government

Letter of Government.

Statement with ditto.

Papers not filed up being meant for despatch in original.

N.B.—

A = Print in full.
B = Not to be printed.
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Q = Print heading only.

10-6-18

1-12-18

11-2-18

24-2-20 ✓

3-12-23 BT ✓

31-7-26 T ✓

20-4-27 T

18/6/34 T

12-10-38 T ✓