

Public Works (1893) Department.

RAILWAY BRANCH.

G.O., No. 944 R

DATED 13th June

[Despatch Abstract.]

Railway Conference of 1893.—Letter from the
Secretary, Railway Conference, forwarding
certain papers relating to the—, recorded.

Indexed.

BACK PAPERS.

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FURTHER PAPERS.

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

Questions to be placed before the Reading Conference of 1893
Resolved:

No. 25.

EQUIVALENT IN INDIAN WEIGHTS OF A TON.
(Proposed for discussion by the Agent, Bombay, Baroda, and Central India
railway.)

EQUIVALENT IN INDIAN WEIGHTS OF A TON.

ISSUE.

Desirability of introducing a rule which will fix the equivalent in Indian weights of a ton.

No. 1378-T., dated Bombay, the 28th January 1893.

From—The Secretary to the Agent, Bombay, Baroda, and Central India railway, including Rajputana Malwa railway.

To—The Secretary, Railway Conference, Simla.

In continuation of this office letter No. 362-T., dated 9th January 1893, I am desired to forward herewith copy of a note by the General Traffic Manager, regarding the equivalent in Indian weights to a ton, and to request that the subject may be added to those intended for decision at the next Railway Conference.

Note by the General Traffic Manager, Bombay, Baroda, and Central India railway regarding the equivalent in Indian weights of a ton.

Cases have occurred from which it appears that diversity of practice exists on railways as regards the equivalents of Indian weights to a ton.

2. Rule 3, clause (a),* of the Indian Railway Conference Regulation Book of 1890, lays down that a ton shall, for the purpose of calculating mileage and demurrage, be reckoned as equivalent to 27 maunds.

3. There is no distinct ruling directly bearing on cases other than those for calculation of demurrage and freight charges on rolling stock, and, for the sake of uniformity, it seems desirable to lay down a ruling on the subject. I would, therefore, recommend that this question be brought forward for discussion at the Railway Conference to be assembled in Simla this year.

4. As rates are quoted at "per maund" on Indian railways, and as freight is earned on actual weight, I am of opinion that a ton, except in cases covered by section 3,* clause 1, of the Indian Railway Conference Regulation Book of 1890, should be taken as equivalent to 27.22 maunds.

* Chapter II, section I, rule 3 (a) of the Indian Railway Conference Regulations of 1888.

Questions to be placed before the Railway Conference of 1893 for
decision.

No. 24.

PERIOD FOR WHICH GOODS INVOICES AND PARCELS WAY BILLS
SHOULD BE PRESERVED.

No. 24.
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5. PERIOD FOR WHICH GOODS INVOICES AND PARCELS WAY
BILLS SHOULD BE PRESERVED.

ISSUE.

Whether the period of 3½ years fixed for the preservation of Goods Invoices and Way
Bills might not be reduced.

No. 242 B., dated 28th November 1892.

From—The Examiner of Accounts, Bhavnagar-Gondal-Junagad-Forbandar Rail-
way,

To—The Accountant General, Public Works Department, Calcutta.

Preservation in record of Goods Invoices and Parcels Way Bills.

In Government of India, Public Works Department, Railway Circular No.
10 of 1881, dated 1st June, it was ruled that goods invoices and parcels way bills
should be kept as records for 3½ years in case of any claims for over charges
being made, and I have the honor to enquire whether in connection with Section
77 of the Railway Act of 1890 (under which claims for compensation are limited
to six months only), it may not be advisable to alter the period of 3½ years to
12 months or some other suitable period so as to reduce as far as possible the
number of invoices, &c., which have under existing rules to be kept as records.

No. 31 R., dated 11th January 1893.

From—The Accountant General, Public Works Department,

To—The Examiner of Accounts, Bhavnagar-Gondal-Junagad-Forbandar Rail-
way.

With reference to your letter No. 242 B., dated 28th November 1892,
regarding the period for which goods invoices and parcels way bills should be
preserved, I have the honor to state that the matter has been referred to the
Railway Conference for discussion.

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No. 18.

APPORTIONMENT OF PENALTY CHARGES LEVIABLE UNDER
SECTION 58 OF THE INDIAN RAILWAYS ACT, IX OF 1890,
FOR MISDECLARATION OF GOODS.

APPORTIONMENT OF PENALTY CHARGES LEVIABLE UNDER
SECTION 58 OF THE INDIAN RAILWAYS ACT, IX OF 1890,
FOR MISDECLARATION OF GOODS.

ISSUES.

In order to secure uniformity, the following rules are proposed for dealing with the penalty charges leviable under section 58 of the Indian Railways Act, when such charges are enforced on through traffic:—

- (1) The penalties leviable under clauses (2) and (3) of section 58 of Act IX of 1890, to be calculated on the entire distance over which the consignment will be or has been carried, and at the highest rates which may be in force at the time on each of the railways traversed for any class of goods.
- (2) The penalties calculated in accordance with rule (1) to be entered in the invoice, so as to show the amount due to each railway concerned.
- (3) Any charges incurred under clause 6 of section 58 of the Act to be defrayed by the railway which detains and examines the goods, such charges, when incurred at a station worked by a joint staff, being debited to joint station expenses.

No. 408, dated Simla, the 8th December 1891.

From—The Secretary, Railway Conference,

To—The Agents, Bombay, Baroda and Central India, Great Indian Peninsula, East Indian, South Indian, Indian Midland, and Southern Mahratta railways; the Agents and Chief Engineers, Bengal and North Western, Rohilkund and Kumaon, and Bengal-Nagpur railways; the Agents and Managers, Madras, and His Highness the Nizam's Guaranteed state railways; the Managers, Eastern Bengal state, and Oudh and Rohilkhand railways; the Managers and Engineers-in-Chief, Bhavnagar-Gondal-Junagarh-Polandar, and Burma state railways.

I am directed by the President to forward, for your information, copy of a letter, No. 1155-D.-G.-R., from the Manager, North Western railway, relative to the mode of treatment, in the case of through traffic, of the penalty charges leviable under section 58 of the Railways Act IX, 1890, and to request the favor of an expression of your views thereon.

No. 1155-D.-G.-R., dated Lahore, 7th November 1891.

From—The Manager, North Western railway,

To—The Director General of Railways.

I have the honor to state that, under section 58 of the Railways Act of 1890, certain penalties are prescribed in addition to actual freight, but the amount of penalty is left to the discretion of the railway administration within certain limits.

2. A question has arisen whether, in through traffic, the penalty should be divided between the various railways over which the traffic passed or whether it should be retained by the railway recovering the penalty.

3. As this is clearly a case for a general agreement between all railways, I have the honor to request that you will kindly obtain the views of all railways, parties to the Conference, in the prescribed manner and decide the question.

4. In my opinion as the amount of penalty has been left optional, it would be best if the railway detecting a case should retain the penalty, and this will also be in accordance with the rule proposed for penalties collected from passengers under section 113 of the new Railway Act, vide rule 70 of the proposed rules for dealing with the accounts of through traffic and circulated with the Secretary to the Railway Conference's printed letter No.

* Not printed

377,* dated 19th May 1891.

Synopsis of opinions on North Western railway proposal in regard to the method of dealing with penalty charges leviable under section 58 of Railway Act, IX of 1890, in through traffic:—

Railway.	Opinions.
Rohilkund and Kumaon railway ...	Agree that the railway detecting the mis-declaration should retain the penalty charges realised.
His Highness the Nizam's Guaranteed state railway.	
Eastern Bengal state railway ...	
South Indian railway ...	
Bengal and North Western railway ...	
Bengal-Nagpur railway ...	
Great Indian Peninsula railway ...	Ditto,—provided other railways agree.
Bombay, Baroda and Central India, (including Rajputana-Malwa) railway.	As the penalties in question are not similar to those leviable under section 113 of the Act, as quoted by the North Western railway, are of opinion that the charges should be proportionately credited to the railways concerned.
Madras railway ...	
Bhavnagar-Gondal-Junagarh-Porbandar railway.	
Oudh and Rohilkhand railway ...	
Southern Mahratta railway ...	
Indian Midland railway ...	
East Indian railway ...	

No. 17, dated Simla, the 20th June 1892.

From—The Secretary, Railway Conference.

To—The Agents, Bombay, Baroda and Central India, Great Indian Peninsula, East Indian, South Indian, Southern Mahratta, and Indian Midland railways; the Agents and Chief Engineers, Bengal and North Western, Rohilkund and Kumaon, and Bengal-Nagpur railways; the Agents and Managers, Madras, and His Highness the Nizam's Guaranteed state railways; the Managers, North Western, Eastern Bengal state, and Oudh and Rohilkhand railways; the Manager and Engineer-in-Chief, Bhavnagar-Gondal-Junagarh-Porbandar railway.

In my letter No. 408, dated 8th December 1891, opinions were invited on a proposal put forward by the Manager, North Western railway, that the penalty charges leviable under section 58 of the Indian Railways Act, IX of 1890, should, in the case of through traffic, be retained by the railway administration which realises such charges.

2. I am now directed to inform you that the replies received to the above quoted letter show that while some railway administrations advocate the method of adjustment proposed by the Manager, North Western railway, others are in favour of apportioning such charges between the railways over which the goods travel.

3. The President, I am to say, after a full consideration of the replies received, is in favour of the latter method of adjustment, which appears to him to be the most equitable way of dealing with the matter. I am to observe that the penalty charges leviable under section 58 of the Act may be calculated on the

entire distance the goods travel, and may involve a considerable amount, and consequently it does not seem reasonable, in the case of through traffic, that the railway administration detecting cases falling under this section of the Act should retain the whole of the extra charges realised, especially as all railway administrations concerned would have to share in the loss incurred in cases where a consignment is under-charged owing to a misdeclaration not having been brought to light.

4. I am accordingly to recommend that the penalty charges leviable under section 58 of the Act may, when such charges are enforced on through traffic, be proportionately credited in usual course to all the railway administrations concerned, and I am to express a hope that this proposal will, for the sake of uniformity, be accepted by you. I am to add that, in order to prevent fraud on the part of the railway staff and to facilitate the apportionment by the audit offices of the penalties realised, it would seem necessary that such charges should invariably be entered on the railway receipt notes and invoices.

Synopsis of opinions on suggestion contained in letter No. 17, dated the 20th June 1892, from the Secretary, Railway Conference, that penalty charges leviable under section 58 of the Indian Railways Act, IX of 1890, on through traffic, be proportionately credited to all railway administrations concerned:—

Railway.	Opinions.
Eastern Bengal state railway ...	Agree to the apportionment of the penalty charges between the railways over which the goods travel.
Indian Midland railway ...	
Bhavnagar-Gondal-Junagarh-Porbandar railway.	
Morvi railway* ...	
Bengal-Nagpur railway* ...	
North Western railway ...	
Rohilkund and Kumaon railway ...	
Bengal and North Western railway ...	
Bombay, Baroda and Central India, (including Rajputana-Malwa) railway.	
Southern Mahratta railway ...	
His Highness the Nizam's Guaranteed state railway.*	
Great Indian Peninsula railway ...	Ditto ditto, provided others agree.
South Indian railway ...	
East Indian railway ...	

* Also agree to proposals in letter No. 27, dated 2nd August 1892, from the Secretary, Railway Conference, to the Agent, East Indian railway.

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No. 6095, dated 9th July 1892.

From—The Agent, East Indian railway,
To—The Secretary, Railway Conference.

I have to acknowledge your circular letter No. 17 of 20th June 1892, regarding the adjustment of penalties under section 58 of the Railway Act.

2. In the case of penalties under 58 (2) and (3) the penalties should be charged on the entire distance travelled. If say there are three railways, the highest rate of each railway should be charged for the distances the consignment is to pass over each and if each is credited as the charges are invoiced or collected there would seem to be no difficulty in the matter.

3. It is not clear how the division is proposed to be made in paragraph 4 of your letter under reply: whether in proportion to the distance travelled over each railway or otherwise, but I understand the proposal in my paragraph 2, above, to be practically what is meant in your letter.

4. A further point, however, appears to require to be definitely settled, and that is how the charges that may be incurred under section 53 (6) of the Act are to be met. On the whole I think that it would be best that each railway should accept the charges that may be incurred through the action of its own staff. If the expenditure was incurred at a station worked by a joint staff it would be debited to joint station expenses.

No. 27, dated Simla, the 2nd August 1892.

From—The Secretary, Railway Conference,
To—The Agent, East Indian railway.

I am directed to acknowledge the receipt of your letter No. 6096, dated 9th July 1892, in which certain enquiries are made as regards the proposals contained in my circular letter No. 17, dated 20th June 1892, for the treatment, in the case of through traffic, of the penalty charges leviable under section 58 of the Indian Railways Act, IX of 1890.

2. In reply, I am to say that, in the opinion of the President, the penalties leviable under section 58 (2) and (3) of the Act should be charged on the entire distance over which the consignment has been carried, the highest rates obtaining on each railway traversed being imposed, and that the amount of such charges should be separately entered in the invoice, which would then show the amount due to the railways concerned.

3. As regards cases falling under section 53 (6), I am to say that the President concurs in the views expressed in paragraph 4 of your letter, viz., that each railway should accept the charges that may be incurred through the action of its own staff, and that such expenditure when incurred at a station worked by a joint staff should be debited to joint station expenses.

RAILWAY CONFERENCE, 1893.

Questions to be placed before the R. T. & C. General of 1893.

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No. 17.

REFUNDS ON LOST, UNUSED OR EXPIRED TICKETS.

(Proposed for discussion by the Manager, Eastern Bengal state railway.)

REFUNDS ON LOST, UNUSED OR EXPIRED TICKETS.
ISSUE.

Regulations 38 (e) and (f) read as follows :—

38. (e) *No refund shall be granted on unused (expired or unexpired) second halves of return tickets, except under special circumstances. Any refund made will be subject to a deduction of ten per cent. from the amount refunded.*

(f). *Refunds shall not be granted on lost halves of return tickets.*

It is proposed that applications for refunds on lost or unused (expired or unexpired) halves of return tickets be dealt with on the merits of each case.

N o. G. S. A., dated Calcutta, the 15th January 1893.

From—The Traffic Superintendent, Eastern Bengal state railway,

To—The Manager, Eastern Bengal state railway.

It is not found expedient or practicable to enforce rules 38 (e) and (f) of the Conference Regulations published in 1890. I would suggest that applications for refunds on lost or unused (expired or unexpired) halves of return tickets be dealt with on the merits of each case (as now practically has to be done), and that when a refund is allowed it be subject, except under very special circumstances, to a deduction of ten per cent.

No. 41.

FROM

THE SECRETARY,
RAILWAY CONFERENCE OF 1893.

TO

THE AGENTS, BOMBAY, BARODA AND CENTRAL INDIA, GREAT INDIAN PENINSULA, EAST INDIAN, SOUTH INDIAN, SOUTHERN MAHRATTA, AND INDIAN MIDLAND RAILWAYS.

THE AGENTS AND CHIEF ENGINEERS, BENGAL AND NORTH WESTERN, ROHILKUND AND KUMAON, AND BENGAL-NAGPUR RAILWAYS.

THE AGENTS AND MANAGERS, MADRAS, AND HIS HIGHNESS THE NIZAM'S GUARANTEED STATE RAILWAYS.

THE MANAGERS, NORTH WESTERN, EASTERN BENGAL STATE, OUDH AND ROHILKHAND, BURMA STATE, AND JODHPORE-BICKANEER RAILWAYS.

THE MANAGER AND ENGINEER-IN-CHIEF, BHAVNAGAR-GONDAL-JUNAGARH-PORDABAR RAILWAY.

THE AGENT AND GENERAL MANAGER, DARJEELING-HIMALAYAN RAILWAY.

THE SECRETARY, CALCUTTA PORT COMMISSIONERS' RAILWAY.

Simla, the 2nd June 1893.

SIR,

In continuation of my letter No. 46, dated the 9th December 1892, forwarding lists A and B of the subjects to be placed before the Railway Conference of 1893, I am directed to forward a copy of the papers relating to question (s) No. (s) 17182425 of list A referred to, viz.,

- (12) Refunds on lost, unused or expired tickets
(18) Apportionment of penalty charges leviable under Section 58 of the Indian Acts of 1890
(24) Period for which goods Invoices & Parcel waybills should be preserved. (25) Equivalent in Indian weight of a ton.

I have the honor to be,

SIR,

Your most obedient Servant,

H. P. Burch

Secretary.

Documents accompanying.
(As noted above.)

3 copies of each

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No. 42, dated the 27th June, 1893.

Copy, with copy of papers referred to, forwarded, for information, to the Secretary to the Government of India, Public Works Department; the Joint Secretary to the Government of Madras, Public Works Department (Railway Branch); the Secretary to the Government of Bombay, Public Works Department (Railway Branch); the Secretary to the Government of Bengal, Public Works Department; the Secretaries to the Chief Commissioners of Burma and Assam, Public Works Department; the Secretary to the Resident at Hyderabad, Public Works Department; the Secretary to the Agent to the Governor General for Rajputana, Public Works Department; the Consulting Engineers for Railways, Bombay and Madras; the Consulting Engineers to the Government of India for Railways, Calcutta, Lucknow, Central Division, and Assam; the Agent, West of India Portuguese railway; the Agents and Chief Engineers, Assam-Bengal, and Bengal Central railways; the Managers, Cherra-Companyganj, and Jorhat railways; the Agent and General Manager, Dibru-Sydia railway; the Manager and Executive Engineer, Morvi railway; the Managing Agents, Deoghur, and Thaton-Duyanraik railways; the Secretary and Agent, Nilgiri railway; and the Engineers-in-Chief, Mushkaf-Bolan, Mari-Attock, East Coast, Bhopal-Ujjain, and Bina-Guna railways.

By order,

S. P. Ault
Secretary.

W. D. G. P.

5 copies of each
Question
Documents accompanying
(As noted overleaf.)

G. C. Form, 31/11/12 - No. 348 P. W. D. - 10-5-93 - 500.

The Joint Secretary
to the Government of Madras, P.W.D. Ry. Branch.

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Recs: P. 6.53

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Sept 13th June 1873.

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L. g. & R. g. 13-June 1893.

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