

RAILWAY BRANCH.

G.O., No. 8 R

DATED 7th January

[Despatch Abstract.]

Joint stations. — Letter to the Government of India stating that the Madras Railway Board of Directors have instructed their agents to adopt the procedure laid down in Government of India Circular No. X, Railway, dated 13th September 1895, for dealing with the cost of land at —.

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No. 767 R. T.
GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
RAILWAY TRAFFIC.

Calcutta, the 18th December 1895.

The Governments of Madras, Bombay, and Fungal.
The Chief Commissioners of Burma and Assam.
The Resident at Hyderabad.
The Agent to the Governor General for Rajputana.
The Director General of Railways.
The Consulting Engineers to the Government of India for Railways, Calcutta, Lucknow, and Assam.

The following papers are forwarded to the Local Governments and Administrations and to the Officers noted in the margin, for information and guidance.

By order,

H. BONHAM-CARTER, *Captain, R.E.*,
Assistant Secretary.

Foreign Dept. memorandum No. 3580 I., dated 29th October 1895.

A copy of the following letter, with enclosure, together with a copy of the correspondence cited in the margin, is forwarded to the Public Works Department, for information and the issue of such further orders as may be necessary.

1. From the Agent to the Governor General in Rajputana, No. 3762 G., dated the 12th October 1892, and enclosures.
2. From the Agent to the Governor General in Central India, No. 6356 G., dated the 17th October 1892.

No. 3574 I., dated 29th October 1895.

From—Captain H. DALY, C. I. E., Offg. Deputy Secy. to the Govt. of India, Foreign Dept.,
To—The Chief Secretary to the Government of Bombay (Political Department).

I am directed to acknowledge the receipt of your letter No. 5711, dated the 11th September 1895, agreeing to the issue of rules for the control of arms and ammunition on the portions of the Rajputana Malwa railway which are situated in Baroda and Palanpur.

2. A copy of the rules as published is enclosed for the information of the Government of Bombay.

3. The Government of India desire that the rules generally shall be enforced with caution by all officers concerned, and that permission to export arms, etc., from railway lands shall invariably be granted by Political Agents under rule II (a) to any applicant who holds a license under section 6 of the Indian Arms Act authorising him to import arms, etc., into British India. Political Officers in Rajputana and Central India and the Governor General's Agent at Baroda, will be instructed accordingly, and I am to request that, with the permission of His Excellency the Governor, similar directions may be issued to the Political Superintendent of Palanpur.

4. The question of applying similar rules to other railways in Native States has been reserved for further consideration. As observed in your letter No. 6399, dated the 14th October 1895, it will not be necessary to introduce the rules on lines such as the Mehsana-Viramgam railway on which the Indian Arms Act is in force.

No. 3573 I., dated 29th October 1895.

NOTIFICATION,—By the Government of India, Foreign Dept.

Whereas the Rulers or Administrators of the States mentioned in the second column of the schedule hereto annexed have ceded to the British Government full jurisdiction within the lands which lie within their respective territories, and are occupied, or may be hereafter occupied, by the railways mentioned opposite their names, respectively, in the first column of the said schedule (including the lands occupied by stations and out-buildings and for other railway purposes): In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that the following rules shall be in force on the said lands:

I—In these rules “arms,” “ammunition,” and “military stores” have respectively the meanings assigned to them in the Indian Arms Act, 1878, except that “ammunition” includes also saltpetre and that “military stores” includes also sulphur when in quantities exceeding ten seers in weight.

“Export” means transmission by rail from any station in any of the said lands to any station beyond the said lands.

“Import” means transmission by rail from any station beyond the said lands to any station within the said lands.

“Transport” means transmission by rail from one station in the said lands to another station in the said lands.

Explanation.—Arms, ammunition, and military stores taken from one station to another in the said lands across intervening territory which is not within the said lands are transported within the meaning of these rules.

II—(a) The export, without the special permission of the Political Agent, of arms, ammunition, or military stores is forbidden.

Export.

(b) Station Masters to whom arms, ammunition, or military stores, unaccompanied by evidence of such special permission are tendered for despatch, shall detain them and report the matter through the Superintendent of Railway Police for the orders of the Political Agent.

III—When any arms, ammunition, or military stores are imported, they shall not be delivered to any importer or consignee, unless—

Import.

(a) the importer or consignee produces the original license issued by the Secretary to the Government of India, Foreign Department, or other competent authority, authorising the export of such arms, ammunition, or military stores from British India and their import to some station within the lands above referred to, and

(b) the senior police officer at the station at which the arms, ammunition, or military stores have been received has compared the consignment with the license and authorised the Station Master to make delivery.

For the purpose of making the comparison required by clause (b), the police officer shall have power to open any package which he thinks suspicious.

IV—Every Station Master shall give information to the officer mentioned in clause (b) of the preceding rule of the arrival at his station of any consignment of imported arms, ammunition, or military stores.

V—A Station Master at whose station a consignment of imported arms, ammunition, or military stores is received may, after obtaining the sanction of the Superintendent of Railway Police, but not otherwise, forward the consignment, should the owner or consignee desire him to do so, to any other station within or beyond the lands above referred to.

VI—No license shall be necessary in respect of arms or ammunition, but when any arms, ammunition, or military stores are transported, immediate information regarding such transport shall be given to the senior police officer at the stations of despatch and received by the Station Masters concerned.

Transport.

VII—Arms shall not in ordinary cases be taken from passengers; but, if a Station

Carrying of arms by passengers.

Master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger, he may at any time before such passenger has taken his place in the train, but not afterwards, refuse to carry him unless he delivers up his arms. If the passenger gives up his arms, they shall be labelled with the name and description of the owner, entered in the roadway bill, and delivered free of charge to the owner at his journey's end.

Provided that no person who has been duly exempted from the operation of sections 13—16 of the Indian Arms Act (XI of 1878), or has a license to carry arms granted by competent authority, shall, except in the case of evident and undoubted necessity, be asked to give up his personal arms under this rule.

VIII—Every person employed upon the railway shall, in the absence of reasonable excuse, the burden of proving which shall be upon him, be bound to give information to the nearest police officer regarding any box, packet, or bale in transit which he may have reason to suspect contains arms, ammunition, or military stores in respect of which an offence against these rules has been, or is being, committed.

Penalties.

IX—(i) Whoever commits any of the following offences (namely):—

(a) exports any arms, ammunition, or military stores without obtaining the special permission of the Political Agent as required by rule II,

(b) imports any arms, ammunition, or military stores without a license of the nature referred to in rule III,

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

(ii) Whoever commits any of the following offences (namely):—

(a) imports any arms, ammunition, or military stores in excess of the quantities entered in the license referred to in rule III,

(b) imports after the expiration of the period for which such license has been granted,

(c) omits to give information as required by rule VIII,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

X—When any person is convicted of an offence under the last preceding rule, it shall be in the discretion of the convicting Magistrate

Confiscation of arms, etc.

further to direct that the whole or any portion of the arms, ammunition, or military stores in respect of which the conviction is obtained, and any box, package, or bale in which the same may have been concealed, together with the other contents of such box, package, or bale shall be confiscated.

XI—(1) Whenever any Magistrate has reason to believe that arms, ammunition and military stores have been imported contrary to these rules, such Magistrate, having first recorded the grounds of his belief, may seize and detain the same in safe custody for such time as he may think necessary.

(2) In such cases notice calling upon the importer or consignee to appear and to produce the license referred to in rule III shall be published for three months at the railway station at which the arms, ammunition, or military stores have been seized, and at such other places as the Magistrate may think necessary.

(3) If the importer or consignee does not appear and produce such license within three years from the date of such notice, such arms, ammunition, or military stores shall be confiscated.

XII—The orders of the Political Agent shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final.

XIII—(1) A Magistrate may award up to one-half the amount of any fine inflicted under these rules, and up to one-half the sale price of any confiscated articles sold in pursuance

Rewards.

of orders issued under these rules, to any person, whether in the employ of a Railway Company or not, who has given information leading to a conviction.

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent.

XIV—Nothing in the foregoing rules shall apply to the import of any arms, ammunition, or military stores when the same are covered by a certificate granted by the officer in charge of an arsenal in British India stating that they are consigned to the Ruler of a State mentioned in the second column of the schedule hereto annexed.

The schedule.

Railway.	State.
1	2
Bhopal-Ujjain railway	Indore. Gwalior. Bhopal. Dewas (senior branch). Dewas (junior branch).
Godra-Rutlam railway	Indore. Jhabua. Rutlam. Sailana.
Goona-Bina railway	Gwalior.
Indian Midland railway—	
(1) Jhansi-Agra section	Dholpur. Datia. Gwalior.
(2) Jhansi-Bhopal-Itarsi section	Bhopal. Gwalior. Khaniadana. Kurwai. Orchha.
(3) Jhansi-Cawnpore section	Samthar.
(4) Jhansi-Manikpur section	Alipura. Garrauli. Orchha. Pahra. Taraon.
Rajputana Malwa railway—	
(1) Cawnpore-Achnera State railway	Bhartpur.
(2) Holkar State railway (north of Nerbudda)	Indore.
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W. J. CUNINGHAM,
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Confiscation of arms, etc.

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XI—(1) Whenever any Magistrate has reason to believe that arms, ammunition and military stores have been imported contrary to these rules, such Magistrate, having first recorded the grounds of his belief, may seize and detain the same in safe custody for such time as he may think necessary.

(2) In such cases notice calling upon the importer or consignee to appear and to produce the license referred to in rule III shall be published for three months at the railway station at which the arms, ammunition, or military stores have been seized, and at such other places as the Magistrate may think necessary.

(3) If the importer or consignee does not appear and produce such license within three years from the date of such notice, such arms, ammunition, or military stores shall be confiscated.

XII.—The orders of the Political Agent shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final.

XIII—(1) A Magistrate may award up to one-half the amount of any fine inflicted under these rules, and up to one-half the sale price of any confiscated articles sold in pursuance

of orders issued under these rules, to any person, whether in the employ of a Railway Company or not, who has given information leading to a conviction.

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent.

XIV.—Nothing in the foregoing rules shall apply to the import of any arms, ammunition, or military stores when the same are covered by a certificate granted by the officer in charge of an arsenal in British India stating that they are consigned to the Ruler of a State mentioned in the second column of the schedule hereto annexed.

The schedule.

W. J. CUNINGHAM,
Secy. to the Govt. of India, Foreign Dept.

Paper taken out of the Records from the charge of the Referencer.

C.F. 73.