

Public Works (1897) Department.

G.O., No. 364 R

DATED 21. May 1897

[Despatch Abstract.]

"Watch and Ward": Govt of India Resolution defining the services which may be included in the term — as applied to the Police force in the Company's lines. Copies to the Agent S. I. R. for guidance.

CURRENT No. 4598

*From Govt of India*

No. 1075 G

**Dated** 27.<sup>th</sup> April 1897

Received 10.5.97

## Enclosures

### Spare copies

SUBJECT.

Regarding definition of services which may be included in the term "Watch and Ward" as applied to the Police force of Companies' lines.

FURTHER PAPERS.

GOVERNMENT OF INDIA.  
PUBLIC WORKS DEPARTMENT.  
GENERAL.

*Simla, the 27th April 1897.*

Definition of services which may be included in the term "Watch and Ward" as applied to the Police force of Companies' lines.

READ—

Report of Committee on Railway Police, dated 24th January 1872.  
Ditto ditto, dated 12th June 1882.  
Public Works Department Circular No. IV Railway, dated 11th February 1890.  
Ditto letter No. 1787 G., dated 31st May 1894, to Government,  
North-Western Provinces and Oudh, Financial Department.  
Public Works Department Circular letter No. 3363 G., dated 19th December 1895. 2

Read also—

Despatch from the Secretary of State, No. 60 Railway, dated 9th July 1896,  
Public Works Department letter No. 2391 G., dated 22nd September 1896, to Consult-  
ing Engineer, Calcutta.

OBSERVATIONS.—The Government of India have had under further consideration the more exact definition of the services which fall within the scope of the duties of the Watch and Ward portion of the Police force of Railways worked by Companies.

This enquiry has been necessary because the State is debited with three-tenths of the cost of such Police, as well as of the Law and Order force, under the terms of the Companies' contracts.

2. To arrive at a correct understanding of the question, it is desirable to consider the original orders which formed the basis for the distribution of the cost of Railway Police between Government and the Companies in the proportion of three-tenths and seven-tenths which now obtains. These orders will be found in the Resolution by the Home Department No. 354, dated 18th June 1872, on the East Indian Railway Police which was based on the report of the Committee appointed in 1872 to consider the organisation of the Government Railway Police. On the recommendation of that Committee the following organisation was adopted.

The whole of the existing constabulary portion of the Police force was divided into two classes, A and B, according to the duties performed, as enumerated below—

Class A (to be paid for by Government)—

- (1) Detection and prosecution of cognisable offences within railway limits.
- (2) Arrest of offenders in cognisable cases.
- (3) Reporting of non-cognisable cases.
- (4) Entry in Police diaries of all offences.

Class B (to be paid for by the Railway)—

- (1) Maintenance of order at stations.
- (2) Watching of passenger trains at stations.
- (3) Watch and Ward of—
  - (a) Goods-sheds.
  - (b) Goods trains at stations.
  - (c) Brake and luggage vans.
  - (d) Railway offices and buildings.
- (4) Reporting to railway authorities all breaches of the Company's bye-laws.

The cost of class A was found to be three-tenths, while the cost of class B was found to be seven-tenths of the cost of the whole force; and it was decided that Government should bear the cost of class A while the Railway bore the cost of class B.

The cost of supervising the whole force was divided between Government and the Company in the same proportion.

The effect of this arrangement was, as at present, that the cost of the entire force for Law and Order, and Watch and Ward, and for supervision, was distributed between the Government and the Railway Companies in the proportion of 3 to 7.

At that time the control of the whole force was with, and remained with, the Government.

3. The same distribution of cost was maintained—

- (1) in the East Indian Railway contract of 1879, which stated that "the cost of providing and maintaining the force of Police required for the purposes of the undertaking shall be defrayed in the following manner: that is to say, three-tenths shall be borne by the Secretary of State, and the remaining seven-tenths shall be treated as part of the working expenses of the Undertaking,"

- (2) when the control of the Watch and Ward forces was, in 1882, made over to the Company in accordance with Home Department Resolution No. 354, dated 18th June 1872.

The latter Resolution was the outcome of the recommendations of a second Police Committee held in that year.

4. A clause relating to Police, similar to that of the East Indian Railway Company's contract, was thereafter introduced into the contracts of other Assisted Companies and must be understood in the same sense; that is to say, it must be understood that Government pays three-tenths of the cost of the staff which carries out the duties A and B as enumerated by the Police Committee in 1872, and of the supervising staff, while the Company pays seven-tenths of the same cost. It is in this sense that the orders of the Secretary of State contained in his Despatch No. 5 Railway, dated 5th January 1888, which are those referred to in Circular No. IV Railway of 1890 must be understood.

It follows that the Government is not chargeable with three-tenths of the cost of duties other than those enumerated under B, although they may partake of the nature of Watch and Ward duties.

RESOLUTION.—The Government of India have accordingly decided, with the concurrence of the Secretary of State, that the term "Watch and Ward" shall comprehend only such staff as are included under that term in the classification adopted by the Railway Police Committee of 1872 and referred to in paragraph 2 of the Observations.

2. In view of this decision the orders contained in Public Works Department letter No. 3363 G., dated 19th December 1895, should be modified to the following extent:—

Certain classes of Watchmen who were included as Watch and Ward in the letter quoted above will now be excluded, viz., "men employed to watch fuel delivered within the railway boundary."

The following, excluded before in the same orders, will now be included:—

"Chowkidars of empty bungalows;"

provided that their duties are wholly or chiefly to guard the bungalows. A "Railway Cemetery" cannot be considered a railway building, and so does not come within the Committee's classification.

3. The ruling in Public Works Department Circular No. IV Railway, dated 11th February 1890, and Public Works Department No. 2929 G., dated 6th November 1888, that Police guards employed solely to accompany Pay Clerks should be shared between the Railway and Government, must be held to have been incorrect as it went beyond the orders contained in the Despatch from Secretary of State, No. 5 Railway, dated 5th January 1888, upon which the ruling was based. Those orders merely decided that the term Police under the Railway contract included Watch and Ward Police performing the duties enumerated by the Police Committees of 1872 and 1882, which have been referred to in the preamble. Public Works Department Circular No. IV Railway, dated 11th February 1890, and Public Works Department letter No. 2929 G., dated 6th November 1888, are accordingly hereby cancelled.

ORDER.—Ordered that a copy of this Resolution be forwarded to the Local Governments and Administrations and Officers noted in the margin, for information and guidance in cases where, in terms of the contract with Railway Companies, three-tenths of the cost of the Police force employed on the lines is debited to Government.

The Governments of Madras and Bombay, Public Works Department, Railway Branch.  
The Chief Commissioner of Burma.  
The Accountant General, Public Works Department.  
The Consulting Engineers to the Government of India for Railways, Calcutta, Lucknow and Assam.  
The Governments of Bengal, North-Western Provinces and Oudh, and the Punjab.  
The Chief Commissioners of the Central Provinces and Assam.  
The Resident at Hyderabad.  
The Agents to the Governor General, Rajputana, Central India, and Baluchistan.  
The Director General of Railways.

Ordered, also, that a copy be forwarded to the Local Governments and Administrations and to the Officers noted in the margin, for information.

By order,

*G. H. Walker*

Under Secretary.

Documents accompanying.  
Nil.

To The Joint Secretary to the Govt of Madras  
P.W. Department, Railway Branch

No 364 R dated 21.5.97  
DEPARTMENT.  
Railway Bch

Hf

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PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Resolution by the Govt  
of India P.O.D. } H.L. No: 1075 G of 27 April 1897

Communicated to  
the Agent S. I. Railway  
for information and  
guidance

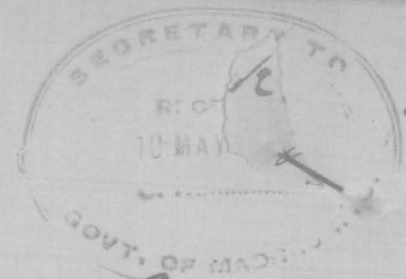
Hf 15/5/97

R.

To

- Manager S. I. Ry
- " Agent S. I. Ry
- " S. I. Ry
- " S. I. Ry
- " S. I. Ry
- " S. I. Ry

25/1/2



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P.D.

Note to the Account Section

The L.S. required by the Accountant General in his official Memorandum dated 1st May 1907 is of the Ry. Dept. This Current is to be transferred to that Dept for Compliance.

Sd/-  
8/5/07

20 A.R.

G.  
8/5/07

Action taken in No. 210. Rev. dated  
11/5/07.