

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 3456

DATED 24th Aug. 98

[Despatch Abstract.]

Stating that the Rajah of Darbhanga should pay import duty on the permanent way materials, pending sanction to the construction of the P. L. Railway under the Indian Railways Act, 1890 or the Indian Railways Act, 1886.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C. no. 2797/99							

Revenue (1898) Department.

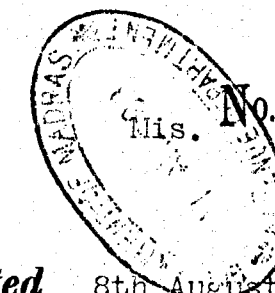
CURRENT No. 5600

From

The Secretary to the Commission-
er of Salt, Abkari and Separate Re-
venue, Madras.

Order Mis. no. 3456 d/24th Aug 98

Pending a sanction
on the question whether the
construction of the Parlakimedi
Light Railway should be
sanctioned under the Indian
Railways Act, 1890 or the Indian
Trainways Act, 1886; the Rajah
of Parlakimedi should pay
the amount of the duty should be
paid on the permanent way
materials imported by him.
The amount paid will, in
due course, be refunded.
When the aforesaid sanction
is given



Dated 8th August 1898.

Received //

Registered //

Enclosures 2

Spare copies

SUBJECT.

Submitting for the orders of Govern-
ment, with remarks, the recommenda-
tion of the Collector of Ganjam -
that the request of the Rajah of -
Parlakimedi for the exemption from im-
port duty of the permanent way ma-
terials imported for the proposed -
Parlakimedi Light Railway be exempt-
ed from duty.

To
The Board of Revenue,
(S. R.)
(From orders)
23.8.98

To the Rajah P.W. Dept (Railways)

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.
	C. No. 2494/999		

Copy of letter from the Acting Collector of Ganjam No. R.G.B.245/Eng. of 98, dated 30th July 1898.

" In forwarding herewith a copy of letter No.405/Eng.of 1898, dated 28th instant from the Rajah of Parlakimedi re-questing that the permanent way materials imported for the proposed Parlakimedi Light Railway, may be exempted from im-ported duty, I have the honour to state that in my opinion, — considering the terms imposed upon and accepted by the Rajah in the event of the said Railway being sanctioned—the proposed concession is reasonable.

2. The Rajah states that some of the material is expected at once, and the only difficulty that I see in the way of — the exemption is the fact that sanction has not yet been ac-corded to the construction of the line, and the application for sanction has been made not under the Indian Railways Act IX of 1890, but under the Tramways Act XI of 1886.

3. Under No.93 of Schedule IV of The Indian Tariff Act — III of 1896, permanent way material required for a tramway can be exempted from duty only if the Governor-General in — Council specifically includes that tramway under the term — "Railway" by notification in the Gazette of India for the — purpose.

4. The proposed line, however, is essentially a railway — with a separate alignment of its own. It is not a mere tram-

tramway along lines of communication maintained by other local authorities. The only object of applying for permission for the construction under the Tramways Act instead of the Railway Act was to procure ~~the~~ sanction as soon as possible, the power of according sanction under the Tramways Act being vested in the Local Government. The question however appears to have been referred to the Government of India, and having reference to the necessity for acquisition of land, it is probably preferable that sanction should now be accorded under the Indian Railway Act IX of 1890, when no separate notification would be required".

Kannanunne

Assistant Secretary.

Copy of letter from the Rajah of Paralakimedi to the Collector of Ganjam No.405/Eng. of 98, dated 28th July 1898.

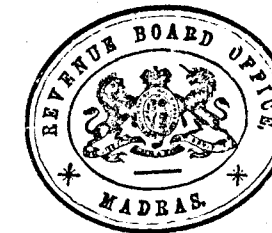
" I have the honour to inform you that certain of the permanent way materials of my railway which were ordered in anticipation of sanction are now due to arrive at Vizagapatam. from England and I shall therefore, feel much obliged, if you will be so good as to refer to Government and ask them to allow that they be imported duty free in the same way as I understand materials for railways on the standard gauges are granted the privilege. Such a concession will be a great boon to me as it is necessary that my line should be very cheaply constructed and it is found that the materials to be procured from England make up the major portion of the total cost".

Kannanunne

Assistant Secretary.

8
RECEIVED
1
5600

9/8/98



Proceedings of the Board of Revenue

(Separate Revenue.)

Dated 8th August

1898.

Mis. No. 3102

Copy attached.

Read letter from H.D. Taylor Esquire, I.C.S., Acting Collector of Ganjam No.R.G.B.245/Eng. of 98, dated 30th July 1898.

Resolution:-

Submitted for the orders of Government.

2. The Railway materials which are free of duty under article 93 of Schedule IV of the Tariff Act should be intended, under the proviso in that article, for "a line of railway subject ^{to} the provisions of the Indian Railways Act, 1890" or for "such tramways as the Governor-General in Council may, by notification in the Gazette of India, specifically include therein"

(True Extract)

Rammamurti

Assistant Secretary.

To the Secretary to Government, Revenue Department.

R. Ram
Copy to the Collector of Ganjam.
9-8-98

From the Board of Rev (S. R) no 3102 dated
8-8-98 (C no 5600).

To Secretary

The Zamindar of Parlakimedi applied for permission to construct a light railway from Nampada to Parlakimedi; which was granted by the Govl. of India subject to certain conditions. The Zamindar is importing permanent way materials for the Railway, and he requests that they may be exempted from import duty.

2. Under article 93 of the fourth Schedule to the Tariff Act, railway material is free, if 'railway' means "a line of railway subject to the provisions of the Indian Railways Act, 1890, and includes * * * such tramways as the Governor-General in Council may, by notification in the Gazette of India specify to include therein."

3. The proposal was to construct the Parlakimedi Ry under the Indian Tramways Act, 1886; but the Colr of Ganjam states that this proposal was made to save time by avoiding a reference to the Govl. of India, but as the orders of that Govl. have been applied for, the sanction may be accorded under the Indian Railways Act, 1890. If this suggestion be accepted in the Railway Dept, the proposed

(The connected papers are put up with the Nampada siding papers).
The pp. are not available being with another file
S/S

S/S R

Copy put up.

Page 14 of the Act put up.

Para 4 of the Colr's letter under the current.

2
railway would be a "line of railway" subject to
provisions of the Indian Railways Act,
and no special exemption will be needed.

May the papers be referred to the Ry Dept
accordingly?

8/98

Railway Dept.

Recd in P.W.D. on the
16/8/98
at about 1.0 PM.

To. Rev. Dept.

I put up one paper for General.
Please see G.O. 555-Py. April 8th 98. No
reply to this has yet been received. But I see the
letter with the 'Amest' the collector of
Langjam say that the Govt. of India's terms
have been accepted by the Rajah.

Pending the receipt of this acceptance
we can do nothing. Perhaps it is now with
Board of Revenue, who might be asked for it.

Once that acceptance is received there will
be for me I can see, be no difficulty about
accepting the temporary material from Dept.

F.V.S.

R.

17/8/98

N.B. This file has reached me ~~at~~ at
noon, 17th. I don't know when it started.
It ought to be in Rev. Dept's hands within
an hour for all I can see to the contrary.

F.V.S.
1.0. PM. 17/8

It seems as though hard on the Rajah,
but I don't know what else can be
done.

R.S.
20/8/98

G.O. 718
21.4.98

To Secy

A reminder will issue to the

Board of Rev. as suggested by the Ry Dept.

2. The question of exemption should, it is
thought, lie over until the Ry Dept can state
whether the ^{construction of the} P. d. railway will be sanctioned
under the Indian Tramways Act or the
Indian Railways Act.

3. May the Zamindar be asked to pay
duty in the meantime to be refunded in due
course.

K.D.
17/8/98

H.M.

Perhaps the Zamindar
may be asked as proposed
in para. 3 above

S.H. 8/8

To Secretary

Please see a draft
order on the docket sheet of
the current below.

2. May the lower file be
returned to the Railway Dept?

K.D.
23/8/98

Issue

Yes return. Conceivable to
S.D. S.H. 20/8/98

C 19/8/98
R. 21/8/98