

ACT No. XIII OF 1870.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 1st April 1870).

An Act to apply the provisions of Act No. XVIII of 1854 to Railways belonging to, or worked by, Government.

1. ACT No. XVIII of 1854 (*relating to Railways in India*) shall apply to all Railways now or hereafter belonging to Government, but worked by a Railway Company, in the same manner as if such Railways belonged to the Company and had been opened by the Company in manner mentioned in the preamble to the said Act.

Application of Railway Act to Railways belonging to Government but worked by Companies.

2. Subject to the modifications hereinafter mentioned, the said Act shall apply to all Railways now or hereafter worked by Government in the same manner as if such Railways had been opened by a Railway Company in manner aforesaid.

Application of Railway Act to Railways worked by Government.

3. In applying the said Act to any Railway now or hereafter worked by Government,

Modifications of Act when applied to Railways worked by Government.

the expressions "servant of the Company," "such servant," "such servant of the Company," "servant of the said Company," "Company's servants," "servants of the Company," "their servants," and "any of their servants," shall mean a servant or servants employed on such Railway :

the expressions "officer or servant of such Railway Company," "officer or servant of such Company," "officer or servant of the Company," "servant or officer of the Company," and "such officer or servant" shall mean an officer or servant employed on such Railway :

the expressions "the premises of any such Railway Company," "the premises of the Company,"
"premises

“premises belonging to the Company,” “lands belonging to such Railway Company,” and “lands, stations or other premises belonging to the Company,” shall mean the premises, lands or stations (as the case may be) occupied by or for such Railway :

the expression “delivered to such Railway Company” shall mean “delivered to an officer on behalf of Government,” and the expression “engagements on behalf of the said Railway Company” shall mean engagements on behalf of Government :

sections nine and ten shall be read as if, for the expression “No such Railway Company shall,” the expression “The Government shall not” were substituted :

the expressions “any such Railway Company,” “such Railway Company,” “any such Company,” and “the Company” shall mean, in sections three, six, eight, eleven, twelve, fifteen, twenty-two, twenty-seven and thirty, the Government ;

but in sections seventeen, ~~nineteen, twenty, twenty-one,~~ twenty-three, forty-one and forty-two, the expressions “Railway Company,” “such Railway Company,” “the Company,” and “they” (when referring to a Company) shall mean the officer for the time being entrusted with the control of such Railway :

~~in section twenty the expression “their railway” shall mean such Railway :~~

~~and section twenty-nine shall be read as follows:~~

“XXIX. In the construction of this Act, every officer and servant employed on such Railway shall be deemed to be legally bound to do everything necessary for or conducive to the safety of the public, which he shall be required to do by any regulation made by the officer for the time being entrusted with the control of such Railway and allowed by the Governor General of India in Council, and of which regulation such officer or servant shall have notice ;

and every such officer and servant shall be deemed to be legally prohibited from doing every act which shall

shall be likely to cause danger and which by any such regulation he shall be prohibited from doing ;
and every person employed by or on behalf of the Government to do any act upon the Railway shall be deemed to be a servant employed on such Railway."