



The Darjeeling Steam Tramway Act, 1879

Act 6 of 1879

Keyword(s):

Construction, Steam Tramway, Siliguri and Darjeeling

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Bengal Act VI of 1879

[THE DARJEELING STEAM TRAMWAY ACT, 1879.]¹

REPEALED IN PART

Act I of 1903.

ADAPTED

- (a) The Government of India (Adaptation of Indian Laws) Order, 1937.
- (b) The Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.
- (c) The Adaptation of Laws Order, 1950.

[4th June, 1879.]

An Act to provide for the construction of a steam-tramway between Siliguri and Darjeeling.

WHEREAS a Company has been formed called the Darjeeling Steam Tramway Company, Limited hereinafter called the Company, for the purpose of constructing, maintaining and working a steam-tramway from Siliguri to Darjeeling; and whereas an agreement bearing the date the eighth day of April eighteen hundred and seventy-nine has been entered into between Franklin Prestage, Esq., as trustee on behalf of the Company, and the Secretary of State for India in Council, for the above purpose; and whereas it is expedient that the Company should be authorized to construct, maintain and work a steam-tramway upon the existing cart-road between Siliguri and Darjeeling as aforesaid, and to do all things necessary in that behalf;

Preamble.

It is enacted as follows:—

1. The Act may be called the Darjeeling Steam Tramway Act;

Short title.

[Commencement].—*Rep. by s. 4 and Sch. III of the Amending Act, 1903 (I of 1903).*

2. The Company may construct and maintain upon the said existing cart-road between Siliguri and Darjeeling a tramway, conformable to the specification and conditions set forth in the hereinbefore mentioned agreement between the said trustee for the Company and the said Secretary of State, or any agreement which may hereafter be entered into between the Company and the said Secretary of State²[or the State Government], with

Power to construct tramway.

¹LEGISLATIVE PAPERS.—For Proceedings in Council, see the *Calcutta Gazette* of 1879, Supplement, page 456.

LOCAL EXTENT.—This Act extends only to the Darjeeling Steam-tramway (now known as the Darjeeling-Himalayan Railway).

²The words "or the Provincial Government" were inserted by para. 3(1) and the Schedule of the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948. Thereafter, the word "State" was substituted for the word "Provincial" by para. 4(1) of the Adaptation of Laws Order, 1950.

(Section 3.)

all proper rails, sidings, stations, offices, warehouses, fixed machinery and other works connected therewith or for the purposes thereof, and the use and employ upon such tramway such locomotive engines or other moving power, and such carriages or wagons to be drawn or propelled thereby, as they may deem fit.

Power to
obstruct
cart-road.

3. The Company may, with the permission of such officer as the [State Government] may from time to time empower in that behalf, obstruct the said cart-road, but in such case the Company shall provide such accommodation for the local traffic during such obstruction as the said officer shall direct.

¹The words "Provincial Government" were first substituted for the words "Local Government" by paragraph 4(1) of the Government of India (Adaptation of Indian Laws) Order, 1937. Thereafter the word "State" was substituted for the word "Provincial" by para. 4(1) of the Adaptation of Laws Order, 1950.