

TRAMWAYS ACT, 1902

4 of 1902

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STATEMENT OF OBJECTS AND REASONS "By the Indian Railway Companies Act. 1895 (X of 1895) it is provided that Railway Companies registered under the Indian Companies Act, 1882 (VI of 1882), may under certain conditions, pay interest on their paid up share capital out of capital during construction, and it is proposed by this Bill to take power for the Governor-General in Council to apply the same provisions to companies formed for the construction of tramways not differing in structure and working from light railways. It is believed that legislation to this end will remove what is recognised as a tangible obstacle to the consideration in London of many remunerative light railway projects in India which, for administrative reasons, it is desired to control in this country under the provisions, not of the Railways but of the Tramways. Act."- Gazette of India, 1901. Part V, page 105.

1. Short title and Extent :-

(1) This Act may be called THE INDIAN TRAMWAYS ACT, 1902; and

(2) It extends to the whole of India except ¹ [the territories which immediately before the 1st November, 1956, were comprised in Part B States].

1. Substituted for the words "Part B States" by 2 A. L. O., 1956 (w.e.f. 1-11- 1956). The Act now extends to the Union territory of

Pondicherry-See Regn. 7 of 1963, S. 2 and Sch. (1-10-1963).

2. Application of Act X of 1895 to Tramway Companies :-

The Central Government may, by notification in the Official Gazette, direct that the provisions of the Indian Railway Companies Act, 1895, in so far as the same are applicable, shall apply to any Company formed for the construction of a tramway under the Bengal Tramways Act, 1883, or the Indian Tramways Act, 1886, and thereupon it shall be lawful for the Tramway Company mentioned in the notification to pay interest upon its paid-up share capital out of capital in the manner and subject to the conditions prescribed by the said Indian Railway Companies Act, 1895. "In accordance with the suggestion made by the Government of Bengal, we have inserted in clause 2 a reference to the Bengal Tramways Act, 1883 (Ben. Act III of 1883), so as to cover companies formed for the construction of tramways under that Act. There are in the Statute book several other enactments authorising the construction and regulating the working of tramways but each of these-See for example, the Bombay Tramways Act, 1874 (Bom. Act I of 1874)-deals entirely with a special concession granted to certain individuals, the Bengal enactment being the only local Act drawn on general lines like the Imperial Act of 1886. The Bengal case, therefore, alone requires to be provided for,"-S.C.R.