

Tramways Act, 1886

Section 10 - CESSATION OF POWERS GIVEN BY AN ORDER

1) If a promoter authorised by an order to construct a tramway- (a) does not: within the time specified in the order substantially commence the construction of the tramway, or (b) having commenced the construction, suspends it without a reason sufficient in the opinion of the 24[Government] to warrant the suspension, or (c) does not within the time specified in the order complete the tramway and open it for public traffic, the following consequences shall ensue:- (i) the powers given by the order to the promoter for constructing the tram - way and otherwise in relation thereto shall, unless the 24 [Government] by special direction in writing, prolongs the time or condones the suspension, cease to be exercised except as to so much of the tramway as is then completed; (ii) as to so much of the tramway as is then completed, the 24[Government] may either permit, or refuse to permit, the powers given by the order to continue: (iii) if the 24 [Government] refuses to permit the powers to continue, then so much of the tramway as is then completed may be dealt with, under the provisions of this Act relating to the discontinuance of tramways, as a tramway of the working whereof the discontinuance has been proved to the satisfaction of the 24[Government]. (2) A notification published by the 24[Government] in the Official Gazette to the effect that on a date specified in the notification the construction of a tramway had not been substantially commenced or a tramway had not been completed and opened for public traffic or that the construction of a tramway had been suspended without sufficient reason, shall, for the purposes of this section, be conclusive proof of the matter stated therein