

20-8-09

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2060

Dated 4th Oct: 1895

INDEXED.

[Despatch Abstract.]

JOINT STOCK COMPANIES.

Communicating to the Registrar of -----letter from the Government of India forwarding copy of correspondence with the Government of Bombay showing that societies (such as the Sind (Hindu) Mutual Family Relief Fund) which are formed with the object of giving relief to the families of subscribers on the mutual relief system cannot be registered under Act XXI of 1860.

BACK PAPERS.

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

FURTHER PAPERS.

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

Home Department.
Public.

Simla, the

September 1895.

No. 1356

FROM

L. M. THORNTON, Esq.,

Deputy Secretary to the Government of India,

TO

THE ACTING SECRETARY TO THE GOVERNMENT OF BOMBAY,
REVENUE DEPARTMENT.

Home Department.
Public.

Simla, the 11 September 1895.

SIR,

I AM directed to acknowledge the receipt of your letter No. 5421, dated the 17th July 1895, forwarding, with connected papers, a memorial from the "Sind (Hindu) Mutual Family Relief Fund," in which the Managing Board of the Fund prays that institutions similar to that Society, which are formed with the object of giving relief to poor and middle class families on the mutual relief system, may be registered under Act XXI of 1860 (an Act for the Registration of Literary, Scientific, and Charitable Societies).

2. In reply I am to forward, for the information of His Excellency the Governor in Council, a copy of the opinion of the Honourable the Officiating Advocate-General on the subject, and to request that, with the permission of His Excellency in Council, the memorialists may be informed that their prayer cannot be granted.

3. The annexures of the memorial and the copies of the printed rules of the Kshatriya Assurance Fund and the Universal Friend in Need Company are returned.

I have the honour to be,

SIR,

Your most obedient Servant,

L. M. THORNTON,

Deputy Secretary to the Government of India.

G.O.

G.O.

Dated 9th August 1895.

Opinion—By the Honourable G. H. P. EVANS, Esq. Officiating Advocate-General, Bombay.

I AM of opinion that the Sind (Hindu) Mutual Family Relief Fund is not a Society for a charitable purpose within the meaning of section 1 of Act XXI of 1860, nor is it a Charitable Society within the meaning of section 20 of that Act. It, therefore, cannot be registered under that Act. It is more in the nature of a Provident Fund and is no doubt an Association formed for the purpose of promoting a useful object, and can be registered under section 26 of the Indian Companies Act, 1882, by a license from the Local Government.

When
When
When
When

READ

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E

No. 5421, dated Bombay Castle, the 17th July 1895.

From—J. MONTEATH, Esq., I.C.S., Acting Secretary to the Government of Bombay,
Revenue Department,

To—The Secretary to the Government of India, Home Department.

I AM directed to forward the accompanying memorial addresssed to the Government of India by the Sind (Hindu) Mutual Family Relief Fund, praying that institutions similar to that society, which are formed with the object of giving relief to poor and middle class families on the mutual relief system, may be registered under Act XXI of 1860.

2. I am at the same time to forward herewith copy of a report from the Registrar of Joint Stock Companies, Bombay, together with copies* of the printed rules of the "Kshatriya Assurance Fund" and the "Universal Friend in need Company" and of the opinion expressed by the Honourable the Advocate-General in the case of those Societies, referred to in paragraph 7 of Mr. Bapat's report, and to add that as the Sind (Hindu) Mutual Family Relief Fund is not a society established for a charitable purpose within the meaning of section 1 of Act XXI of 1860 or a Charitable Society within the meaning of section 20 of that Act, it cannot in the opinion of this Government be registered under that Act. A copy of the Resolution of this Government No. 75, dated 5th January last, passed on the subject, is herewith enclosed.

No. 292, dated 6th December 1894.
* To be returned, please.

1895
JUL 18 1895
Encls. No. 1
O. No. 4612

No. *13 Sub*
1346

FROM

L. M. THORNTON, Esq.,
Depy. Secretary to the Government of India,

TO

The Chief Secy. to the Govt. of Madras.



Home Department.
Public.

Simla, the 11th September 1895.
H.M. 21

SIR,

I AM directed to forward for *the information of His Excellency the Governor in Council*

* Letter from the Government of Bombay, No. 5421, dated the 17th July 1895.
Letter to the Government of Bombay, No. 1351, dated 11/7/95 with copy of the opinion of the Officiating Advocate-General, dated the 9th ~~inst.~~ *ultimo*.

the accompanying copy* of a correspondence with the Government of Bombay, showing that Societies [such as the Sind (Hindu) Mutual Family Relief Fund], which are formed with the object of giving relief to the families of subscribers on the mutual relief system, cannot be registered under Act XXI of 1860.

I have the honour to be,

SIR,

Your most obedient Servant,

L. M. Thornton

Depy. Secretary to the Govt. of India.

Judicial Dept.

CURRENT NO. 4612

From, The Govt of India,
Home Dept (Public)

under D 4-10-95 No 2060.

Comd to the Secy of Joint
Stock Companies.

NO. 13 Sub.
1346

Dated 11th Sept
Recd 30th Sept 1895
Recd 1st Oct

Encl: 1 + 7 cc each of the cl & Rec.

Subject

Forwarding copy of a correspondence
with the Govt of Bombay, showing
that Societies [such as the Hind
(Hindu) Mutual Family Relief
Fund] cannot be registered under
Act XXI of 1860.

When given for copying _____
When copied _____
When examined _____
When signed _____

READ AGAIN G.O., No. _____ DATED _____
189 _____

CURRENT No. _____

ENCLOSURES TO G. No. _____

ORDER OF GOVERNMENT

A A A A A A A

LETTERS OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.:-

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

15/3/79/RA

Bv
Para-2

...nowing the Mutual ... of giving ...
...time to forward herewith copy Registrar of Joint Stock Companies, ... of the printed ...
...December 1894. ... together with copies* of the printed ... Friend in need ...
...rules of the "Kshatriya Assurance Fund" and the "Universal Advocate-Gen- ...
...Company" and of the opinion expressed by the Honourable the Advocate-Gen- ...
...eral in the case of those Societies, referred to in paragraph 7 of Mr. Bapat's report, ...
...and to add that as the Sind (Hindu) Mutual Family Relief Fund is not a society ...
...established for a charitable purpose within the meaning of section 1 of Act XXI ...
...of 1860 or a Charitable Society within the meaning of section 20 of that Act, it ...
...cannot in the opinion of this Government be registered under that Act. A copy ...
...of the Resolution of this Government No. 75, dated 5th January last, passed on ...
...the subject, is herewith enclosed.

1573/79/RA

...following the
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subscribers on the mutual relief system, cannot be
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SIR,

Your most obedient Servant,

L. M. THORNTON,

Depy. Secretary to the Govt. of India.

No.

COPY of correspondence forwarded to the Legislative Department for
information.

By order,

L. M. THORNTON,

Depy. Secretary to the Govt. of India.

FROM

No.

L. M. THORNTON, Esq.,

Depy. Secretary to the Government of India,

TO

*Home Department.
Public.*

SIR,

Simla, the

September 1895.

I AM directed to forward for

* Letter from the Government of Bombay, No. 5421, dated the 17th July 1895.
Letter to the Government of Bombay, No. dated , with copy of the opinion of the Officiating Advocate-General, dated the 9th instant.

relief to the families of subscribers registered under Act XXI of 1860.

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To—The Secretary to the Government of India, Home Department.

I AM directed to forward the accompanying memorial addresssed to the Government of India by the Sind (Hindu) Mutual Family Relief Fund, praying that institutions similar to that society, which are formed with the object of giving relief to poor and middle class families on the mutual relief system, may be registered under Act XXI of 1860.

2. I am at the same time to forward herewith copy of a report from the

No. 292, dated 6th December 1894.

* To be returned, please.

Registrar of Joint Stock Companies, Bombay, together with copies* of the printed rules of the "Kshatriya Assurance Fund" and the "Universal Friend in need Company" and of the opinion expressed by the Honourable the Advocate-General in the case of those Societies, referred to in paragraph 7 of Mr. Bapat's report, and to add that as the Sind (Hindu) Mutual Family Relief Fund is not a society established for a charitable purpose within the meaning of section 1 of Act XXI of 1860 or a Charitable Society within the meaning of section 20 of that Act, it cannot in the opinion of this Government be registered under that Act. A copy of the Resolution of this Government No. 75, dated 5th January last, passed on the subject, is herewith enclosed.

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7 cc. of Ind. no 46129-1895

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Ins Geo 2060 hrs
4-0-95

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Para-2