

- 1) Number of Pages: 82.
- 2) Date of Separ 25.5.88
- 3) Initial of the Ref. lms ✓

Tamil Nadu Archives

Publicial Dept

Go. No. 25/2
25/3
1-12-1875

File

*Proceedings of the Madras Government, Judicial Department,
1st December 1875.*

RS. A. P.

Provided that no one Company shall be liable to pay on the whole a greater fee than Rupees 400 in respect of its number of members, taking into account the fee paid on the first registration of the Company.

Joint-Stock Companies.

Read the following papers:—

No. 1. From J. G. FERRAND, Esq., Registrar of Joint-Stock Companies, to the Hon. D. F. CARMICHAEL, Officiating Chief Secretary to Government, Fort St. George, dated Madras, 1st November 1875.

Agreeably to the instructions in paragraph 3 of G.O., dated 29th September 1875, No. 2122, I have the honor to submit, for the approval of Government, Draft of Rules under Clause 2, Section 190, Act X of 1866, for the discharge of the duties of the Registrar of Joint-Stock Companies.

With reference to these Rules, I beg to offer the following explanation:—

Rule 2.—Hitherto, the Companies have been numbered consecutively without intermission from the year 1860; but I think that it will be more convenient, and in accordance with general usage, to number Companies registered after 1st April next in a new series for each year.

Rule 7.—If, instead of the course proposed in this rule, it were laid down that a notice should be sent to the registered office of the Company before communicating with the Government Solicitor, as I at first thought of proposing, Companies might look for this notice, claim it as a right, and question whether they were liable to penalties until after they had received it.

2. I now proceed to give the information called for in the fifth and succeeding paragraphs of the Government Order.

Paragraph 5 of G.O.—What arrangements have been made in my office for the accommodation of the public in respect to inspection of documents, &c.

3. A Register is kept of the Companies; and I have prepared an Alphabetical Index to the Register.

The documents of each Company are kept together distinct from those of other Companies.

An applicant for inspection is provided with the requisite accommodation in my room, where he sits and inspects the documents he requires under my supervision.

Application for inspection and certified copies must be made to me at the office during office hours, but there is no other restriction as to the manner in which it must be made. If my room should be too fully occupied at the time of any inspection, under Act X of 1866, by persons obtaining registration of documents under Act VIII of 1871, I have another room available for the former work; but I must then depute a clerk from the Registration establishment under the latter Act to supervise the inspection.

There can be no difficulty in furnishing certified copies.

Since I have been Registrar of Joint-Stock Companies, *i.e.*, for the past nine months, there have been but three inspections, and there has been no application for a certified copy.

*Proceedings of the Madras Government, Judicial Department,
1st December 1875.*

It must not, however, be overlooked that, as remarked in a former letter,* some of these fees are for returns which were in arrears when I took charge of the office.

* G.O., 23rd August 1875, No. 1850.

	RS.	A.	P.
An inspection of the documents kept by the Registrar ...	1	0	0
Certified copy of a certificate of the incorporation of any Company ...	3	0	0
Certified copy or extract of any other document or any part of any other document; each hundred words ...	0	2	0

The other fees chargeable are those specified in Tables B and C of the Act, viz. :—

Payable by a Company having a capital divided into shares—

	RS.	A.	P.
For registration of a Company whose nominal capital does not exceed Rupees 20,000, a fee of ...	40	0	0
For registration of a Company whose nominal capital exceeds Rupees 20,000, the above fee of 40 Rupees, with the following additional fees :—			
For every 10,000 Rupees of nominal capital, or part of 10,000 Rupees after the first 20,000 Rupees up to 50,000 Rupees ...	20	0	0
For every 10,000 Rupees of nominal capital, or part of 10,000 Rupees after the first 50,000 Rupees up to 1,00,000 Rupees ...	5	0	0
For every 10,000 Rupees of nominal capital, or part of 10,000 Rupees after the first 1,00,000 ...	1	0	0
Provided that no Company shall be liable to pay in respect of nominal capital on registration, or afterwards, any greater amount of fees than 1,000 Rupees.			
For registering any document other than the Memorandum of Association ...	5	0	0
For making a record of any fact ...	5	0	0

Payable by a Company not having a capital divided into shares—

	RS.	A.	P.
For registration of a Company whose number of members does not exceed twenty ...	40	0	0
For registration of a Company whose number of members exceed twenty, but does not exceed 100 ...	100	0	0
For registration of a Company whose number of members exceeds 100, but is not stated to be unlimited, the above fee of Rupees 100 with an additional Rupees 5 for every fifty members or less number than fifty members after the first 100.			
For registration of a Company in which the number of members is stated in the Articles of Association to be unlimited, a fee of ...	400	0	0
For registration of any increase in the number of members made after the registration of the Company, in respect of every fifty members, or less than fifty members, of such increase ...	5	0	0

	RS.	A.	P.
For registering any document ...	5	0	0
For making a record of any fact ...	5	0	0

The fees realized during the last official year, i.e., from 1st April 1874 to 31st March 1875, are, according to the account received from the Registrar of the High Court, Original Side, from 1st April 1874 to 26th January 1875, and according to my account from the latter date,

	RS.	A.	P.
For registering new Companies (thirteen in number) ...	1,980	0	0
For registering Returns furnished by, and making records on account of, registered Companies ...	420	0	0
For Inspections ...	3	0	0
Total ...	2,403	0	0

Adverting to the circumstance that the former fee books had not been carefully preserved,* and to the probability that the account of fees therefore for the early portion of the past official year may not be complete, it may be more satisfactory if I show also the fees realized from 27th January to 31st October 1875 under the above classification.

It will be seen from the detailed statement of fees received from 27th January to 31st March 1875, furnished with my letter of 18th August last,† that the fees for that period were—

† G.O., 23rd August 1875, No. 1850.

	RS.	A.	P.
For registering new Companies (five in number) ...	725	0	0
For registering Returns, &c., furnished by, and making records on account of, registered Companies... ..	270	0	0
For Inspections ...	3	0	0

The fees received from 1st April to 31st October 1875 were—

	RS.	A.	P.
For registering new Companies (five in number) ...	1,400	0	0
For registering Returns, &c., furnished by, and making records on account of, registered Companies ...	675	0	0
Making altogether for the past nine months (no fees having been received from 27th to 31st January.)			
For registering new Companies (ten in number) ...	2,125	0	0
For registering Returns, &c., furnished by, and making records on account of, registered Companies... ..	945	0	0
For Inspections ...	3	0	0
Total ...	3,073	0	0

Paragraph 6 of G.O., 29th September 1875.—
What steps are taken to secure the submission
of the returns required by law, and what
means exist for detecting neglect in this
respect.

† Sections 49 and 25.

of the amount of capital, &c., attached to the list of members, will show when

‡ Section 33.

When I find that any returns are due, I send a notice to the Secretary of the Company.

These notices have been generally effectual in obtaining the returns called for. But there are no means of detecting any omission to forward certain documents,

§ Section 53.

6. I personally scrutinize the returns, and I have proposed, in the accompanying Draft Rules, that this shall be the duty of the Registrar.

Paragraph 6 of G.O., 29th September 1875.—
Whether I personally scrutinize the returns,
whether they have been found defective, and
what means there are of testing their correct-
ness.

The returns of most Companies appear to be furnished correctly.

In some cases, I have found the returns defective on such points as these:—

The balance-sheet is sent unaudited, or without any indication that it has been audited; the list of members is sent without the summary of particulars specified in Section 25 of the Act; a special resolution is sent in manuscript instead of being printed; it has only been passed at one meeting without being confirmed at another, or the prescribed interval between the two meetings has not been observed.

But I have no means of testing the correctness of the several entries in the balance-sheet or the list of members.

Such returns as the list of members are simple, and errors in them are easily capable of detection by the members.

The accounts and balance-sheet require special and thorough examination.

|| Section 49.

examined once at least every year, and the correctness of the balance-sheet ascertained by one or more Auditor or Auditors.

The Regulations of Companies, under Sections 14 and 15 of the Act, provide for the careful preparation and examination of accounts.

It would be very satisfactory if means could be adopted to ensure the employment, in all cases, of competent Auditors, and for this purpose their remuneration

necessary by prosecutions, as they would by the publication of the proposed Rules, I see no objection to such a means of enforcing it; and I think it is the only satisfactory way of ensuring uniform regularity in the submission of the prescribed returns.

8. I beg to forward, herewith, a list of all Companies registered in the Madras Presidency from 7th December 1860 to 31st October 1875, giving the several particulars specified by the Government of India.

List of the Joint-Stock Companies Registered in the Madras Presidency from 7th December 1860 to 31st October 1875 inclusive.

Number on the Register.	Name of the Company.	Under what Act it was Registered.	Date of Registration.	Objects for which the Company was established.	Whether the Company is working or in course of being wound up, or has been dissolved, the date dissolved, the date ceased operation.
1	Mail Coach and Carrying Company (Limited).		7th Dec. 1860	Conveyance of mails and passengers.	Never commenced business.
2	Carnatic Coffee Company (Limited) ...		25th Apr. 1862.	Cultivation of produce, particularly coffee.	Being wound up.
3	Madras Steam Brick-making and Building Company (Limited).		8th May ..	Making bricks, &c., by steam ...	Voluntarily wound up December 1864.
4	Madras Advertising and Printing Company (Limited).		17th Jan. 1863.	Printing ...	Still working.
5	Horse Bazaar Hack and Postal Company (Limited).		28th Apr. ..	Selling horses, &c., passenger and parcel carrying.	Never commenced business.
6	Cochin Coffee Company (Limited) ...		2nd Oct. ..	Cultivation of coffee ...	Do. do.
7	Malabar Ship Company (Limited) ...		16th Oct. ..	Establishing line of ships between England and Cochin.	Do. do.
8	Madras Hide and Skin-tanning Company (Limited).		20th Oct. ..	Tanning ...	Do. do.
9	Madras Ice Company (Limited) ...		13th Nov. ..	Manufacture of ice ...	Voluntarily wound up Special Resolution passed March 1866.
10	Madras Cotton-cleaning Company (Limited).		13th ..	Cleaning cotton ...	Still working.
11	Madras and Colombo Steamship Company (Limited).		7th Mar. 1864	Building steam vessels and running them between Madras and Colombo.	Voluntarily wound up about the year 1869.
12	Brunton's Patent Press Company, Madras (Limited).		7th July ..	Pressing cotton, &c. ...	Still working.
13	St. George's Steam Press Company (Limited).		22nd July ..	Do. ...	Do.
14	Brunton's Patent Press Company, Calcutta (Limited).		19th Aug. ..	Do. ...	Never commenced business but registered afterwards.

under Act XIX of 1857.

Proceedings of the Madras Government, Judicial Department,
1st December 1875.

15	Madras Casuarina Plantation Company (Ltd.).	7th Oct. ..	Planting casuarina and other trees...	Voluntarily wound up informally many years ago. Never furnished any documents after registration. Never commenced business.	
16	Madras Cotton Mills Company (Limited) ...	14th ..	Spinning of raw cotton and other fibres and manufacturing of the same when spun.		
17	Malabar Printing Company (Limited) ...	3rd Jan. 1865...	Printing ...	Has registered no documents since 22nd June 1868.	
18	Permaad Coffee Company (Limited) ...	3rd Mar. ..	Working of Hope Coffee Estate in Travancore territory, and of lands in the vicinity.	Still working.	
19	Southern India Coffee Company (Limited) ...	13th May ..	Cultivation and preparation of coffee, tea, cinchona.	Still working.	
20	Oundie Coffee Company (Limited) ...	21st June ..	Cultivation of produce, particularly coffee.	Disolved on 12th September 1871.	
21	Fairfield Coffee Company (Limited) ...	8th Nov. ..	Do. do.	Still working.	
22	Permaad Carrying Company (Limited) ...	30th ..	Carriage of stores and produce to and from Permaad.	Never commenced business.	
23	Madras Steam Saw Mills and Manufacturing Company (Limited).	19th Jan. 1866...	General manufacturing business in all kinds of wood and iron work.	Voluntarily wound up informally. Special Resolution passed on 10th November 1868.	
24	Jennarurthana Coffee Company (Limited) ...	2nd Mar. ..	Cultivation of coffee, &c. ...	Has never furnished any documents since registration.	
25	Mattil Coffee Company (Limited) ...	23rd Mar. ..	Do.	Do.	
26	Madras Agricultural Guarantee Company (Limited).	15th Aug. ..	Investing in landed property and trading in coffee.	Do.	
27	Munjunhalla Coffee Company (Limited) ...	18th Aug. ..	Cultivation of coffee, tea, and cinchona.	Disolved 29th November 1871.	
28	Neilgherry Press Company (Limited) ...	26th Nov. ..	Printing ...	Has registered no document since 4th September 1866. Is in course of being wound up in Court.	
29	Madras Plantation Company (Limited) ...	14th Dec. ..	Planting casuarina and other trees and selling the timber, &c.	Has registered no document since 4th September 1866. Is in course of being wound up in Court.	
30	Malabar Perseverance Coffee Company (Ltd.)	28th Mar. 1867...	Cultivation of coffee ...	Still working.	
31	Neilgherry Pharmaceutical Company (Ltd.) ...	10th Oct. ..	Conducting business of Chemists and Druggists.	Never furnished any documents after registration. The Secretary to the Company reported that, from 1st February 1871, the Company would cease as a Company incorporated under Act X. of 1866, and that the business would be carried on by two individuals.	

From No. 1 to No. 25 inclusive

From No. 26 to No. 34 inclusive under Act X of 1866

Year of the Joint-Stock Companies Registered in the Madras Presidency from 7th December 1860 to 31st October 1875 inclusive—(Continued).

inclusive under Act X of 1866.

4

From No. 26 to No. 91

Proceedings of the Madras Government, Judicial Department,
1st December 1875.

List of the Joint-Stock Companies Registered in the Madras Presidency from 7th December 1860 to 31st October 1875 inclusive—(Continued).

Number Registered	Name of the Company.	Under what Act it was Registered.	Date of Registration.	Objects for which the Company was established.	Whether the Company is still working or in course of winding up, or has been dissolved; and if dissolved, the date when it ceased operations.
61	Madras Peddu Naick's Pettah Hindu Mutual Benefit Fund (Limited).		3rd Mar. 1873...	Collecting monthly savings for the purpose of investing in landed or other property and for granting loans to the members.	Still working.
62	Madras Hindus' Permanent Fund (Limited)...		14th " " "	do.	Do.
63	Madras Hindu Union Fund (Limited) ...		31st " " "	do.	Do.
64	Pursewankum Hindu Sunthatha Sanga Nidhi (Limited).		18th Apr. " "	do.	Do.
65	Madras Hindu Mutual Benefit Permanent Fund.		25th " " "	do.	Do.
66	Poodoopett Hindu Sogagasara Nithee (Ld.)...		6th May " "	do.	Do.
67	Nungumbankum Hindu Dhanasakara Nidhi (Limited).		28th " " "	do.	Do.
68	Madras Mootelpett Mutual Benefit Permanent Fund (Limited).		26th June " "	do.	Do.
69	Nungumbankum Hindu Dhanopacara Nidhi (Limited).		27th " " "	do.	Do.
70	Madras Monthly Savings Fund (Limited) ...		22nd Oct. " "	do.	Do.
71	Madras Hindu Co-operative Fund (Limited)...		11th Nov. " "	do.	Do.
72	Pursewankum Hindu Janabacara Nidhi, Second Branch (Limited).		14th " " "	do.	Do.
73	Chenni Poorasi Hindu Thasapamani Nidhi (Limited).			do.	Do.
74	Cunnicala Pettah Mutual Benefit Commercial Society (Limited).		1st Dec. " "	Carrying on trade in handkerchiefs and cotton goods.	Still working.
75	Pursewankum Hindu Jananoooola Nidhi (Limited).		21st Jan. 1874...	Collecting monthly savings for the purpose of investing in landed or other property and granting loans to the members.	Do.

inclusive under Act X of 1866.

Proceedings of the Madras Government, Judicial Department,
1st December 1875.

76	Madras Permanent Benefit Fund (Limited) ...	24th Feb. " "	Do.	Do.	Do.
77	Southern India Alpha Gold Mining Company (Limited).	1st May " "	Gold Mining	do.	Do.
78	South Indian Railway Co-operative Society (Limited).	4th June " "	Retailing the necessities of life to the employes of the South Indian Railway Company.	do.	Do.
79	Madras Central Native Benefit Fund (Ld.) ...	26th " " "	Collecting monthly savings for the purpose of investing in landed or other property and for granting loans to the members.	Do.	Do.
80	Triplicane Hindu Sreenithee Society (Ld.) ...	29th " " "	do.	do.	Do.
81	Registered Land Mortgage and Building Society (Limited).	10th Aug. " "	do.	do.	Do.
82	Napier Foundry Company (Limited).	19th Oct. " "	Smelting of iron and other ores, making iron work and machinery.	do.	Do.
83	Chennai Akamrapuram Masanthara Arjana Sikkharandhi or Monthly Savings Fund, Second Branch (Limited).	11th Nov. " "	Collecting monthly savings for the purpose of investing in landed or other property and for granting loans to the members.	Do.	Do.
84	Cochin Steam Mills (Limited) ...	19th Dec. " "	Curing coffee, sawing timber, manufacturing casks, coffee cases, &c.	Do.	Do.
85	Victoria Co-operative Society (Limited) ...	15th Feb. 1875...	Retailing the necessities of life at ordinary rates, using correct weights and measures.	Do.	Do.
86	Kistnama Naick's Agharam Mutual Benefit Fund (Limited).	20th " " "	Collecting monthly savings for the purpose of investing in landed or other property and for granting loans to members.	Do.	Do.
87	Athambakum Hindu Thanopakara Nidhi (Limited).	9th Mar. " "	do.	do.	Do.
88	Bellary Spinning and Weaving Company (Limited).	24th " " "	Carrying on the manufacture of cotton twist and cloth at Bellary and other places.	Do.	Do.
89	Madras Hindu Aiding Permanent Fund (Limited).	31st " " "	Collecting monthly savings for the purpose of investing and for granting loans to the members.	Do.	Do.
90	Coimbatore Swadesa Bravayya Sekara Nidhi (Limited).	10th Apr. " "	do.	do.	Do.
91	Madras Building Society, Third Branch (Ld.) ...	12th May " "	do.	do.	Do.

From No. 26 to No. 94

List of the Joint-Stock Companies Registered in the Madras Presidency from 1st December 1860 to 31st October 1875 inclusive—(Concluded).

Number on the Register.	Name of the Company.	Under what Act it was Registered.	Date of Registration.	Objects for which the Company was established.	Whether the Company is still working or in course of winding up, or has been dissolved, and if dissolved, the date when it ceased operation.
92	The City of Madras Mutual Benefit Building Society (Limited).	From No. 26 to No. 94 inclusive under Act X of 1866.	31st May 1875...	Collecting monthly savings for the purpose of investing and for granting loans to the members.	Still working.
93	Land Mortgage and Building Society, First Branch (Limited).		3rd July	Do.	Do.
94	Cullin Company (Limited).		18th Oct.	Manufacture of coconut oil, patent manures for coffee estates, coir fibre and yarn; import manufacture and sale of tools and general machinery required for coffee estates, and carrying on a general manufacturing business in all kinds of wood, iron, and other metals.	Do.

(Signed) J. G. FERRAND,
Registrar of Joint-Stock Companies.

MADRAS,
1st November 1875.

No. 2. From J. G. FERRAND, Esq., Registrar of Joint-Stock Companies, to the Hon. D. F. CARMICHAEL, Officiating Chief Secretary to Government, Fort St. George, dated Madras, 12th November 1875.

Since writing my letter of the 12th instant, I have been informed that not only should registered Joint-Stock Companies be held to regularity in furnishing the returns required by law, but that the opportunity should be taken to prevent Companies which should be registered from evading the law by not registering. I mentioned in paragraph 3 of my report to Government, dated the 24th July last, that a considerable number of Companies had not registered until they found themselves obliged to register by a decision of the High Court in 1869 rejecting a plaint from a Mutual Loan Company against a contributory because the Company was not registered. I have learnt of several similar attempts to evade the law since I have been Registrar. I have therefore consulted the Government Solicitor as to the propriety of a rule to the following effect:—

"Whenever it may come to the knowledge of the Registrar that there is in existence any Company to which the provisions of Section 4 of the Act above referred to are applicable, which has omitted to register, he will intimate the same to the Government Solicitor in order that the necessary steps may be taken for recovering the penalties to which the Company may be liable."

2. I have at the same time furnished him with a copy of the 7th of the Draft Rules submitted with my letter to you of the 1st instant, and inquired whether he had any objection to it.

3. As soon as I receive the Government Solicitor's reply, I shall address you again on this subject.

No. 3. From J. G. FERRAND, Esq., Registrar of Joint-Stock Companies, to the Hon. D. F. CARMICHAEL, Officiating Chief Secretary to Government, Fort St. George, dated Madras, 22nd November 1875.

Adverting to my letter, dated 12th instant, I beg to report that the Government Solicitor has approved of the two proposed Rules which I referred to him, subject to the addition to the rule subjoined to the 1st paragraph of my letter of the words "Association or Partnership" after the word "Company" in two places. The Rule thus altered will accordingly be as follows, and I beg to propose to add it as Rule 8 to the Draft Rules submitted with my letter of the 1st instant:—

"8. Whenever it may come to the knowledge of the Registrar that there is in existence any Company, Association, or Partnership to which the provisions, of Section 4 of the Act above referred to are applicable, which has omitted to register, he will intimate the same to the Government Solicitor in order that the necessary steps may be taken for recovering the penalties to which the Company, Association, or Partnership may be liable."

No. 4. ORDER THEREON, 1st December 1875, No. 2512.

Ordered that the Report furnished by the Registrar of Joint-Stock Companies on the working of the Act, dated 1st November 1875, and the Rules accompanying, as modified and added to by Government, be submitted to the Government of

India with the following letter, in reply to Mr. Secretary Hume's despatch, dated 25th August 1875, Nos. 13—174.

2. The Rules abovementioned for the discharge of the Registrar's duties are approved and sanctioned by Government under the provisions of Clause 2, Section 190, of Act X of 1866, and are ordered to be published in the *Fort St. George Gazette* for general information.

RULES FOR THE GUIDANCE OF THE REGISTRAR OF JOINT-STOCK COMPANIES.

Under the provisions of Clause 2, Section 190, of the Indian Companies' Act, 1866, No. X, the Governor in Council directs that the following Regulations be observed for the discharge of the duties of the Registrar of Joint-Stock Companies:

I. The Registrar shall personally scrutinize the Memorandum of Association and the Articles of Association of any Company applying for registration, and the other documents which are required to be forwarded by any registered Company; and he shall satisfy himself that they are in conformity with the provisions of the law before he registers them.

II. He shall keep a book, to be called "THE REGISTER OF JOINT-STOCK COMPANIES." In this Register he shall enter the names of the registered Companies in the order of their registration; and he shall number each Company consecutively.

One page in the Register shall be allotted to each Company until another page is required.

Under the name of each Company the Registrar shall enter a note of every registration effected, or record made, relating to the Company; and he shall affix the date of such registration and his signature thereto.

From and after the 1st April 1876, the numbers assigned to the Companies thereafter registered shall be in a consecutive series commencing and terminating with each official year.

An Alphabetical Index shall be kept of the Companies registered.

III. The Registrar shall give to every Company registered a Certificate of Incorporation in the following form:—

Form of Certificate of Incorporation.

No. (here enter number borne by Company on the Register).
I hereby certify, pursuant to Act X of 1866 of the Governor-General of India in Council, entitled "The Indian Companies' Act, 1866," that the (here enter name of Company) is incorporated as a Company under the aforesaid Act (in the case of a Limited Company, the following words will be added), and that the said Company is limited.

MADRAS,
(Here enter date.)

(Here enter signature.)
Registrar of Joint-Stock Companies.

The Registrar shall at the same time enter a copy of such certificate on the Memorandum of Association of the Company concerned, which shall be lodged in the Office of the Registrar.

The documents of each Company shall be placed and kept separate and distinct from the documents of other Companies.

Endorsement on documents registered.

IV. On every document registered the Registrar shall endorse the following particulars:—

- (1.) The number borne by the Company on the Register.
- (2.) The name of the Company.
- (3.) The name of the document.
- (4.) The date of registration.

And he shall affix his signature thereto.

When a document is registered, the Registrar shall intimate the same to the Company.

He shall also grant a receipt for all fees paid.

V. The Registrar shall keep an account of the fees received, and the Accountant-General shall audit such account.

Fees.

The Registrar shall retain such fees as his remuneration from 23rd January 1875 until 26th January 1877, both days inclusive. After that date, the Registrar shall remit the fees to the Government Treasury on the day on which they are paid to him; or, if paid too late for that day, he shall remit the fees to such Treasury on the following day.

VI. The Registrar shall submit an Annual Report to the Government of the administration and working of his department, together with a statement in detail of the fees realized.

Annual Report.

VII. With the view of enforcing the punctual transmission by all Companies of the documents required to be forwarded to the Registrar, he is authorized, whenever any document is overdue, to request the Government Solicitor to take the necessary steps for the recovery of the prescribed penalties for default; and he shall send at the same time a notice of his having done so to the registered office of the Company concerned.

VIII. Whenever it may come to the knowledge of the Registrar that there is in existence any Company, Association, or Partnership to which the provisions of Section 4 of the Act are applicable, and which Company has omitted to register itself, he is authorized to communicate with the Government Solicitor in view to the necessary steps being taken by the latter for the recovery of the penalties to which such Company, Association, or Partnership may be liable.

IX. The Registrar shall provide a room wherein a person applying for the inspection of a document may sit at a table and inspect it under the supervision of the Registrar.

X. Persons applying for inspection and certified copies of documents must apply to the Registrar at his office at office hours from 11 A.M. to 5 P.M.

*Proceedings of the Madras Government, Judicial Department,
1st December 1875.*

XI. It shall be the duty of the Registrar to return to Companies concerned, for the purpose of being amended, any documents received by him in a defective or incomplete form, such as a balance-sheet unaudited, a special resolution of a Company in manuscript instead of in print, or a document in which prescribed formalities have not been complied with.

XII. The following shall be the Table of Fees to be charged by the Registrar for inspection of documents, granting of certified copies, registering of Companies, &c.:—

*Fixed under Clause 5, Section 190, of the Act by Government Notification,
9th February 1875.*

	RS.	A.	P.
An inspection of the documents kept by the Registrar	1	0	0
Certified copy of a certificate of the incorporation of any Company	3	0	0
Certified copy or extract of any other document or any part of any other document; each hundred words	0	2	0

Chargeable under Tables B and C of the Act.

Payable by a Company having a capital divided into shares—

	RS.	A.	P.
For registration of a Company whose nominal capital does not exceed Rupees 20,000, a fee of	40	0	0
For registration of a Company whose nominal capital exceeds Rupees 20,000, the above fee of 40 Rupees, with the following additional fees:—			
For every 10,000 Rupees of nominal capital, or part of 10,000 Rupees after the first 20,000 Rupees up to 50,000 Rupees	20	0	0
For every 10,000 Rupees of nominal capital, or part of 10,000 Rupees after the first 50,000 Rupees up to 1,00,000 Rupees... ..	5	0	0
For every 10,000 Rupees of nominal capital, or part of 10,000 Rupees after the first Rupees 10,00,000	1	0	0
Provided that no Company shall be liable to pay in respect of nominal capital on registration, or afterwards, any greater amount of fees than 1,000 Rupees.			
For registering any document other than the Memorandum of Association	5	0	0
For making a record of any fact	5	0	0

Payable by a Company not having a capital divided in shares—

	RS.	A.	P.
For registration of a Company whose number of members does not exceed twenty	40	0	0
For registration of a Company whose number of members exceeds twenty, but does not exceed 100	100	0	0
For registration of a Company whose number of members exceeds 100, but is not stated to be unlimited, the above fee of Rupees 100, with an additional Rupees 5 for every fifty members or less number than fifty members after the first 100.			
For registration of a Company in which the number of members is stated in the Articles of Association to be unlimited, a fee of	400	0	0

*Proceedings of the Madras Government, Judicial Department,
1st December 1875.*

For registration of any increase in the number of members made after the registration of the Company, in respect of every fifty members, or less than fifty members, of such increase 5 0 0
and that no one Company shall be liable to pay on the whole a greater fee than Rupees 400 in respect of its number of members, taking into account the fee paid on the first registration of the Company.

For registering any document 5 0 0
For making a record of any fact 5 0 0

(By Order of the Most Noble the Governor in Council.)

Chief Secretary.

To the Registrar of Joint-Stock Companies.

Sept. of 1873

JUDICIAL.

THE NEW YORK OF CONSTITUTION

THE NEW YORK OF CONSTITUTION

THE NEW YORK OF CONSTITUTION

THE NEW YORK OF CONSTITUTION

THE NEW YORK OF CONSTITUTION

10
Madras 10th November 1875.

From
J. G. Ferriand Esq.,
Registrar of Joint Stock Companies.

To The Honble. D. F. Carmichael,
Acting Chief Secretary to Government,
Fort St. George.
Judicial Department.

Sir,

Agreeably to the instructions
in Paragraph 3 of G. O. dated
29th September 1875, No. 2122,
I have the honor to submit for
the approval of Government,
draft of rules under Clause 2
Section 190 Act X of 1866 for
the discharge of the duties of the
Registrar of Joint Stock Companies.

With reference to these rules,
by

beg to offer the following explanation: Rule 2. Hitherto, the Companies have been numbered consecutively without intermission from the year 1860; but I think that it will be more convenient and in accordance with general usage, to number Companies registered after 1st April next in a new series for each year.

Rule 3. If, instead of the course proposed in this rule, it were laid down that a Notice should be sent to the registered offices of the Companies before communicating with the Government Solicitor, as I at first thought of proposing, Companies might look for this Notice, claim it as a right, and question whether they were liable to penalties until after they had received it.

2. I

2. I now proceed to give the information called for in the 5th and succeeding Paragraphs of the G. O.

3. A Register is kept of the Companies; and I have prepared an alphabetical Index to the Register. The documents of each Company are kept together distinct from those of other Companies.

An applicant for inspection is provided with the requisite accommodation in my room, where he sits and inspects the document he requires under my supervision.

Application for inspection and certified copies must be made to me at the office during

during office hours, but there is no other restriction as to the manner in which it must be made. If my room should be too fully occupied at the time of any inspection under Act I of 1856 by persons obtaining registration of documents under Act VIII of 1841, I have another room available for the former work; but I must then depute a clerk from the Registration establishment under the latter Act to supervise the inspection. There can be no difficulty in furnishing certified copies. Since I have been Registrar of Joint Stock Companies, i.e. for the past nine months, there have been but three inspections and there has been no application for a certified copy.

30

12

copy.

4. The fees which have been fixed under Clause 5 of Section 190 of the Act, by Government Notification, 9th February 1875,* are, for

* Fort St George Gazette, p. 210

An inspection of the documents kept by the Registrar	Rs. 1.0.
Certified copy of a Certificate of the incorporation of any company	3.0
Certified copy or extract of any other document or any part of any other document; each hundred words	12 0.2

The other fees chargeable are those specified in Tables B. and C. of the Act, viz:

Payable by a Company having a capital divided into shares:

For

For registration of a
Company whose nominal
Capital does not exceed,
Rs. 20,000, a fee of --- Rs. 40.---

For registration of a
Company whose nominal
Capital exceeds Rs. 20,000
the above fee of forty
rupees, with the following
additional fees:

For every 10,000 rupees
of nominal capital, or
part of 10,000 rupees
after the first 20,000
rupees up to 50,000
rupees --- 20.---

For every 10,000
rupees of nominal
Capital or part of
10,000 rupees after
the first 50,000 rupees
up to 1,000,000 rupees --- 5.---

For every 10,000 rupees
of nominal Capital,
or part of 10,000 rupees
after

13. No. 40
after the first 1,000,000
rupees --- 1.---

Provided that no
Company shall be
liable to pay in re-
spect of nominal
Capital on registra-
tion, or afterwards,
any greater amount
of fees than 1,000 rupees.

For registering any
document other

than a Memorandum
of association. --- 13 --- 5.---

For making a
record of any fact. --- 5.---

Payable by a Company not
having a Capital divided into
shares:

For registration of
a Company whose
number of members
does not exceed 20 --- No. 40.---

For registration of a
Company whose number
of members exceeds 20, but No.
does not exceed 100 ----- 1002--

For registration of a
Company whose number
of members exceeds 100,
but is not stated & is
unlimited, the above
fee of No. 100 with an
additional No. 5 for
every 50 members or
less number than
50 members after the
first 100.

For registration
of a Company in
which the number
of members is stated
in the Articles of
Association to be
unlimited, a fee of --- 400--

For registration of
any increase in the
number

14
number of members
made after the registra-
tion of the Company,
in respect of every 50
members, or less than
50 members, of such
increase ----- No.
5--

Provided that no
one Company shall
be liable to pay on
the whole a greater
fee than No. 200 in
respect of its number
of members, taking
into account the
fee paid on the first
registration of the
Company.

For registering
any Document ----- 5--

For making a
record of any fact ----- 5--

The fees realized during the
last official year, i.e. from
14

1st April 1874 to 31st March 1875,
are, according to the account received
from the Registrar of the High
Court Original side, from 1st
April 1874 to 26th January 1875;
and according to my account from
the latter date.

For registering new Companies (13 in number) ---	Rs. 1980
" " Returns fur- nished by, and making records on account of, regis- tered Companies ---	Rs. 20
" Inspections ---	3
<u>Total Rs.</u>	<u>2,403</u>

Adverting to the circumstances that
the former fee books had not been
carefully preserved,
and to the probability
that the account of fees
therefore for the early portion
of the past official year may
not be complete.

it

it may be more satisfactory if
I show also the fees realized from
27th January to 31st October 1875
under the above classification.

It will be seen from the
detailed statement of fees received
from 27th January to 31st March
1875 furnished with my letter
of 1st August last,* that the fees
* G.O. 23rd Aug. for that period
1875 No. 1850 were,

For registering new Companies (5 in number) ---	No. 725
" " Returns, &c. furnished by, and making re- cords on account of, registered Companies ---	270
" " Inspections ---	3

The fees received from 1st April
to 31st October 1875 were

For registering new Companies (5 in number)	1400
" " Returns, &c.	

furnished

furnished by, and
making records on
accounts of, regis-
tered Companies No. 675

making altogether
for the past 9 months
(no fees having been
received from 27th
to 31st January)

for registering new
Companies
(see number) - Rs. 2125

Returns
furnished by,
and making
records on accounts
of, registered
Companies 945

" Inspections 3

Total No. 3,073

It must not, however, be over-
looked that, as remarked in
* G.O. 23rd
Aug. 1875
No. 1850. a former letter, some
of

16 of these fees are for Returns
which were in arrears when
I took charge of the office.

5. I examine occasionally the
Para 6 of G.S. Register which is kept of the
29th Sep. 1875. Companies, in which are
What steps are entered the Returns register.
taken to secure From the Register can
the submission be ascertained when
of the Returns some of the Returns are
required by due, as, for instance,
law, and which the Annual Balance
means which is
for detecting
reflect on
this respect. Sheet and card of mem-

* Sec. 49
& 25.

bers.* The Summary
of the amounts of Capital,
&c. attached to the
List of members, will show when
there is an increase of capital,
* Sec. 33. which has not been regis-
tered.

When I find that any Returns
are due, I send a notice to the
Secretary of the Company.
These notices have been generally
effective in obtaining the Returns
called

called for. But there are no means of detecting any omission to forward certain documents, as for instance a Special Resolution* altering the regulations of the Company:

6. I personally scrutinize the Returns and I have proposed, in the accompanying draft Rules, that this shall be the duty of the Registrar. Whether I personally scrutinize the returns, whether they have been found defective, & what means there are of testing their correctness.

The returns of most Companies appear to be furnished correctly.

In some cases, I have found the Returns defective on such points as these:

The Balance Sheet is sent unaudited, or without any indication that it has been audited; the list of members is sent without the summary of particulars specified in Section

Section 25 of the Act; a Special Resolution is sent in manuscript, instead of being printed; it has only been passed at one meeting without being confirmed at another, or the prescribed interval between the two meetings has not been observed.

But I have no means of testing the correctness of the several entries in the Balance Sheet or the list of members.

Such Returns as the list of members are simple, and errors in them are easily capable of detection by the members.

The Account and Balance Sheet require special and thorough examination. The Act accordingly provides* that the accounts

* Sec. 49. of every Company shall be examined once at least every year and the correctness of the Balance Sheet ascertained by one or more auditors or auditors. The regulations of Companies under

under Sections 14 & 15 of the Act, provide for the careful preparation and examination of accounts.

It would be very satisfactory if means could be adopted to ensure the employment, in all cases, of competent auditors, and for this purpose their remuneration should be adequate; but it is not easy to go beyond the existing provisions of the law without undue interference with Companies.

4. I have instituted no prosecutions for neglect to submit returns or for any other breaches of the law; neither, I believe, have any predecessors.

If Companies receive warning that the law will be hereafter enforced where necessary by prosecutions,
as

18
as they would by the publication of the proposed rules, I see no objection to such a means of enforcing it; and I think it is the only satisfactory way of ensuring uniform regularity in the submission of the prescribed Returns.

8. I beg to forward herewith a list of all Companies registered in the Madras Presidency from 7th December 1860 to 31st October 1875, giving the several particulars specified by the Government of India.

I have the honor to be
Sir

Your most obed^t servant
J. H. Tennant
Ag. of Jt. Stock Co.

of the Joint Stock Companies registered in the Madras Presidency from December 1860 to 31st October 1875 inclusive.

Judl. 1875 Pert.
(Joint Stock Companies)
From 1st December 1860

From
Registration Joint Stock
Companies.

to Chief Secretary
to Government.

Dated 1st Nov. 1875
Recd. 1. — —
With 2 enclosures.

Furnishing infor-
mation required
by Gov. of India re-
garding the working
of the Indian Com-
panies' Act 1866.

No.	Name of the Company.	Date of registration	Objects for which the Company was established.	Whether the Company is still working or in course of winding up, or has been dissolved, and if dissolved, the date when it ceased operations.
1	Mail coach & carrying Co. Ltd.	7 th Dec. 1860	Conveyance of mails & passengers.	Never commenced business.
2	Carnatic Coffee Company (Limited).	25 th April 1862	Cultivation of produce, particularly Coffee.	Being wound up.
3	Madras Steam Brick-making and Building Company (Limited).	8 th May 1862	Making Bricks & by steam.	Voluntarily wound up informally about Dec. 1864.
4	Madras Advertising and Printing Company (Limited).	17 th June 1863	Printing.	Still working.
5	Hoore Razuar Muck and Postal Company (Limited).	28 th April 1863	Selling horse & passenger and parcel carrying.	Never commenced business.
6	Cochin Coffee Company (Limited).	2 nd Oct. 1863	Cultivation of coffee.	Do do.
7	Malabar Ship Company (Limited).	16 th Oct. 1863	Establishing line of ships between England and Cochin.	Do do.
8	Madras Hide and Skin tanning Company (Limited).	20 th Oct. 1863	Tanning.	Do do.
9	Madras Ice Company (Limited).	13 th Nov. 1863	Manufacture of ice.	Voluntarily wound up informally. Special resolution passed March 1866.
10	Madras Cotton cleaning Company (Limited).	13 th Nov. 1863	Cleaning Cotton.	Still working.
11	Madras and Colombo Steamship Company (Limited).	7 th March 1864	Building steam vessels and running them between Madras and Colombo.	Voluntarily wound up informally about the year 1869.
12	Brunton's Patent Press Company, Madras (Limited).	7 th July 1864	Pressing Cotton, &c.	Still working.
13	St. George's Steam Press Company (Limited).	22 nd July 1864	Do.	Do.
14	Brunton's Patent Press Company, Coimbatore (Limited).	19 th July 1864	Do.	Never commenced business here, but was started afterwards in Calcutta.
15	Madras Casuarina Plantation Company (Limited).	7 th Oct. 1864	Planting Casuarina and other trees.	Voluntarily wound up informally many years ago. No documents after 1865.

	Madras Cotton Mills Company (Limited)	From 1st 1865 to 31st 1865 inclusive Act XIX of 1857	14 Oct 1864	Spinning of raw Cotton and other fibres and manufacturing of the same when spun.	Never commenced business.
	Malabar Printing Company (Limited)		3rd June 1865	Printing	Has registered no documents since 22nd June 1868.
18	Permaad Coffee Company (Limited)		3rd March 1866	Working of 1/2 of coffee estate in Travancore territory and of lands in the vicinity.	Still working.
19	Southern India Coffee Company (Limited)		13th May 1865	Cultivation and preparation of Coffee, tea, and other produce.	Still working.
20	Quind Coffee Company (Limited)		21st June 1865	Cultivation of produce, particularly Coffee.	Dissolved Nov 12th September 1871.
21	Fairfield Coffee Company (Limited)		5th Nov 1865	Do.	Still working.
22	Permaad Carrying Company (Limited)		30th Nov 1865	Carriage of stores and produce to and from Permaad.	Never commenced business.
23	Madras Steam Saw Mills and Manufacturing Company (Limited)		10th Nov 1865	General saw, planing, and in all kinds of wood and other work.	Sub. to 1865 and informally special resolution passed in November 1868.
24	Jemavurthana Coffee Company (Limited)		2nd March 1866	Cultivation of coffee, &c.	Has never furnished any documents since registration.
25	Muttill Coffee Company (Limited)		23rd March 1866	Do.	Do. do.
26	Madras Agricultural Guarantee Company (Limited)	From 1st 1865 to 31st 1865 inclusive Act XIX of 1857	15th Sept 1866	Investing in landed property and trading in Coffee.	Do. do.
27	Munjimhalla Coffee Company (Limited)		18th Sept 1866	Cultivation of coffee, tea, and cinchona.	Dissolved 29th November 1871.
28	Nilgherry Press Company (Limited)		26th Nov 1866	Printing	Has registered no documents since 1st September 1868. Is in course of being wound up.
29	Madras Plantation Company (Limited)		11th Dec 1866	Planting of various trees and selling the timber.	Has registered no documents since 20th December 1869.
30	Malabar Perseverance Coffee Company (Limited)		28th March 1867	Cultivation of coffee.	Still working.

Milgheny Pharmaceutical Company
(Limited)

10 Oct 1877 Conducting business of
Chemists and Druggists.

Never furnished any
documents after registra-
tion. The Secretary to the
Company reported that
from 1st January 1877 the
Company would conduct
a business in corporate
under Act of 1866, and
that the business would
be carried on by two or
individuals.

Resolved 17th August
1875.

32. Godavery Cotton Mills (Limited)

9th Jan 1878 Cotton spinning.

33. Rajahmundry Gunny Factory Limited

12 Jan 1878 Manufacturing gunny bags.

D. do.

34. Madras Co-operative Society (Limited)

20 June 1878 Retailing articles of con-
sumption, clothing and
other necessities of life
at correct weights and
measures and free from
adulteration.

Being wound up
voluntarily.

35. Madras and Mysore Silk Company
(Limited)

20 Nov 1878 Working of silk factories
in the Madras Presidency
and Mysore.

Voluntarily wound
up informally some
time ago.

36. Madras Deposit and Benefit Society
(Limited)

11th Sept 1878 Receiving money for fixed
periods at fixed rates of
interest and granting loans.

Still working.

37. Cochin Mercantile Press Company
(Limited)

20 Aug 1879 Printing.

Has not furnished
any documents
since October 1878.

38. Madras Agricultural and Plantation
Company (Limited)

9th Dec 1879 Cultivation of grain
vegetables, sugarcane, cotton,
sugarcane and fruit trees, and
trees useful for firewood
and building purposes.

voluntarily wound
up informally
about the year 1878.

39	Madras Selfacting Railway Company Limited	17 May 1870	Carrying passengers and goods up and down the flanks of the several table lands of Southern India on the Selfacting principle.	Never commenced business.
40	Madras Traction Engine Company (Limited)	1st June 1870	Conveying passengers, goods, and mails, by means of road steamers or wagons drawn by horses, mules or bullocks, between Madras and Cuddalore, or other places.	Voluntarily wound up informally soon after registration.
41	Madras Mutual Benefit Association (Limited)	6 June 1870	Retaining all the necessary life adapted to the Indian Community free of adulteration and of short weights or measures.	Voluntarily wound up informally special resolution passed, 26 March 1872.
42	Madras Land Mortgage, Building, and Provident Society (Limited)	12 Aug 1870	Collecting monthly savings for purchase in landed property and for granting loans.	Still working.
43	Madras Railway Co-operative Society (Limited)	5 Dec 1870	Retaining the necessities of life to the employees of the Madras Railway Company.	Voluntarily wound up informally about three years ago.
44	Cuddalore Pressing Company (Limited)	16 Feb 1871	Pressing cotton and other sub-stances.	Still working.
45	M. S. S. Mutual Benefits (Limited)	11 May 1871	Making of loans to the members of the Company.	Do.
46	Madras Mutual Benefit Fund (Limited)	31 May 1871	Do.	Do.

1	Coringa Company (Limited)	12 July 1872	Manufacturing leather oil and indigo, preparing rice and ginning cotton.	Still working.
48	Madras Hindu Mutual Improvement Fund (Limited)	7th Aug 1872	Collecting, outlay savings for the purpose of investing in land or other property and for granting loans to the members.	
49	Chintadripettah Mutual Relief Society (Limited)	7 Aug 1872	Do	Do.
50	Madras Hindu Perpetual Fund (Limited)		Do	Do.
51	Tondiarpettah Hindu monthly savings Fund (Limited)		Do	Do.
52	Black Town Central Hindu Mutual Benefit Fund (Limited)	13 Aug 1872	Do	Do
53	Equore Benefit Society (Limited)	13 Do	Do	Do
54	Second Branch, Madras Hindu Mutual Fund (Limited)	16 Do	Do	Do
55	Hindu Monthly Savings Fund (Limited)	2 Nov 1872	Do	Do
56	Mysore Hindu Perpetual Fund (Limited)	14 Nov 1872	Do	Do
57	Madras Hindu National Permanent Fund (Limited)	29 Nov 1872	Do	Do
58	Chenna Akamthara paorani Madras Arjuna Socara Akamthi (Limited)	17 Dec 1872	Do	Do
59	Persewankum Hindu Sanopacara Nishi, or General Benefit Fund, Third Branch (Limited)	8 Jan 1873	Do	Do
60	Persewankum Hindu Sanopacara Nishi, or General Benefit Fund, First Branch (Limited)	15 Feb 1873	Do	Do
61	Madras Pedra Nair's Petlak Hindu Mutual Benefit Fund (Limited)	3 March 1873	Do	Do

From No 26 to No 64 inclusive are of No 1876

62	Madras Hindu Permanent Fund (Limited)	14th March 1873	Do	Do	Do
63	Madras Hindu Union Fund (Limited)	31st do	Do	Do	Do
64	Pursewankum Hindu Suthatha Sanga Mithi (Limited)	18th April 1873	Do	Do	Do
65	Madras Hindu Mutual Benefit Perma- nent Fund	25 do	Do	Do	Do
66	Poodooppett Hindu Soosagar Mithi (Limited)	6th May 1873	Do	Do	Do
67	Mungumbankum Hindu Dhannasakala Mithi (Limited)	28 do	Do	Do	Do
68	Madras Moolalpett Mutual Benefit Permanent Fund (Limited)	26 June 1873	Do	Do	Do
69	Mungumbankum Hindu Dhannas- pocara Mithi (Limited)	27 do	Do	Do	Closed operation end of May 1873 and is being wound up voluntarily.
70	Madras Monthly Savings Fund (Limited)	22 Oct 1873	Do	Do	Still working.
71	Madras Hindu Co-operative Fund (Limited)	11 Nov 1873	Do	Do	Do.
72	Pursewankum Hindu Janabucara Mithi, second Branch (Limited)	14 do	Do	Do	Do.
73	Chennai Poorasi Hindu Thasapennai Mithi (Limited)		Do	Do	Discontinued 1st Jan 1875.
74	Cumicala Pettah Mutual Benefit Commercial Society (Limited)	1st Dec 1873	Carrying on trade in handkerchiefs and cotton goods.		Still working
	Pursewankum Hindu Jananoorala Mithi (Limited)	20th Jan 1874	Collecting monthly contributions for the purchase of property in landed property and for the loan to the members.		Do.
	Madras Permanent Benefit Fund (Limited)	21st Feb 1874	Do	Do	Do

From No. 26 to No. 94 inclusive under Section 156b

77	Southern India Alpha Gold Mining Company (Limited)	1 st May 1874	Gold Min.	Do.	16
78	South Indian Railway Co-operative Society (Limited)	15 June 1874	Retailing to life to the South Indian Company	Do.	
79	Madras Central Native Benefit Fund (Limited)	26 June 1874	Collection for the purpose of saving in land and for granting loans to the members.	Do.	
80	Triplicane Hindoo Green the Society (Limited)	29 do.	Do.	Do.	Do.
81	Registered Land Mortgage and Building Society (Limited)	10 July 1874	Do	Do.	Do.
82	Arpico Laundry Company (Limited)	19 Oct 1874	Smelting of ores, making and repairing iron work	Do.	
83	Chennai Manuapuram Masanthara Arjuna Sivaraniidhi or Monthly Savings Fund, Second Branch (Limited)	11 Nov 1874	Collecting monthly savings for the purpose of investing in land and other property and for granting loans to the members.	Do.	
84	Cochin Steam Mills (Limited)	19 Dec 1874	Leaving left, sewing, her, making, coffee-cake, etc.	Do.	
85	Victoria Co-operative Society (Limited)	15 Feb 1875	Retailing the necessities of life at ordinary rates, using correct weights and measures.	Do.	
86	Madras Native Benefit Fund (Limited)	20 Feb 1875	Collecting monthly savings for the purpose of investing in land and other property and for granting loans to members.	Do.	

From No. 26 to No. 94 inclusive under Act X of 1866

87	Mhambakum Hindu Thanopakara Mithi (Limited)	9th March 1875	Do
88	Bellary Spinning and Weaving Company (Limited)	24th March 1875	Carrying on of cotton twine at Bellary places.
89	Madras Hindu Aid and Permanent Fund (Limited)	31st do	Collecting m. for the purp and for grain to the munda
90	Coimbatore Swadesa Pranyya Sekara Mithi (Limited)	10th April 1875	Do
91	Madras Building Society 3rd Branch (Limited)	12th May 1875	Do
92	The City of Madras Mutual Benefit Building Society (Limited)	30th May 1875	Do
93	Land Mortgage and Building Society 1st Branch (Limited)	3rd July 1875	Do
94	Cullin Company (Limited)	18th Oct 1875	Manufact oil, patent in Coffee, cotton & yarn; Iron factories & a & general in required for & carrying manufact in all parts tion & the

Madras,
1st November 1875.

J. V. K.
Apr. 11

List of Joint Stock
Companies referred
from 1st
Decr 1860 to 31st
October 1875.
Refers to in letter
from Registrar of J.
Stock Com to Chief
Secretary to Govt.
1st Nov. 1875. Lond.
L. J. Ch. 30.57

Madras 12th November 1875.

From

J. G. Tennant,
Registrar of Joint Stock Companies

The Honble. D. F. Carmichael,
Acting Chief Secretary to Govern-
ment

Fort St. George.

Judicial Department.

Sir,

Since writing my letter of
the 1st instant, it has occurred
to me that not only should re-
gistered Joint Stock Companies
be held to regularity in fur-
nishing the Returns required
by law, but that the opportunity

should be taken to prevent
Companies which should be
registered from evading the
law by not registering. I
mentioned, in Paragraph 3 of
my report to Government,
dated 9th July last, that a
considerable number of Com-
panies had not registered un-
til they found themselves
obliged to register by a deci-
sion of the High Court in
1864 respecting a plaint from
a Mutual Loan Company
against a contributory be-
cause the Company was not
registered. I have learnt of
several similar attempts to

* Per. App.
* 2 Aug.
1875, before
Mr. 1649.

evade the law since I have
been Registrar. I have therefore
consulted the Government
Solicitor as to the propriety of
a rule to the following effect:

"Whenever it may come to the
knowledge of the Registrar
that there is in existence any
company to which the provi-
sions of Section 4 of the Act
above referred to are applica-
ble, which has omitted to
register, he will intimate
the same to the Government So-
licitor in order that the neces-
sary steps may be taken
for recovering the penalties
to which the Company may
be liable."

2. I have at the same time furnished him with a copy of the 8th of the draft rules submitted with my letter to you of the 1st instant, and inquired whether he had any objection to it.

3. As soon as I receive the Government Solicitor's reply, I shall address you again on this subject.

I have the honor to be

Yr
 Your most obed^t. servant

J. H. Tennant
 Esq. U. S. Atty. Genl.

30 Madras, 22nd November 1875.

From
J. G. Howard,
Registrar of Joint Stock Companies,

To
The Honble. D. T. Carmichael
Offg. Chief Secretary to Government
Fort St. George
Judl. Dept.

Sir,

315
Adverting to my letter
dated 12th instant, I beg to
report that the Government
Solictor has approved of the
two proposed rules which
I referred to him, subject
to the addition to the rule
subjoined to the 1st Paragraph

Recd 1875 22 Nov

From
Registrar, Joint Stock
Companies

To
Chief Secretary to
Government.

Recd 22 November
1875

Not to be
referred to
the
Registrar
of
Joint Stock
Companies
what should be
referred to
the
Registrar.

122

of my letter of the words "As-
sociation or Partnership"
after the word "Company"
in two places. The rule thus
altered will accordingly be
as follows, and I beg to propose
to add it as rule 8 to the draft
rules submitted with my let-
ter of the 1st. instant.

"8. Whenever it may come to
the knowledge of the Registrar
that there is in existence any
company, Association or Part-
nership to which the provi-
sions of Section 4 of the Act
above referred to are applica-
ble, which has omitted to
register, he will intimate

218
the same to the Government
Solicitor in order that the ne-
cessary steps may be taken for
recovering the penalties to which
the Company Association or
Partnership may be liable."

I have the honor to be
Sir

Yours most obed^t. Servant
J. G. Strand
Rep. of H. Stock Ex.

Indt 1875 Sept.
(First Frost Company)

From

Rept. from First Frost Co.

to
Chief Secretary to
Genl.

Dated 22nd Nov. 1875.

Recd 23rd Nov.

No. 3237

Respecting the Genl.

Director has up.

boards of the two

proposed subdivisions.

It is

Joint Stock Companies

Incl: Dept.

35 Pro: of the Madras Govt.

22

Read the following letters
from the Res^r of Joint Stock Companies, Madras,
dated 1st ^{and 22nd} Nov^r 75.

1. Order 1st Dec 75 No. 2512.

Ordered that the Res^r
furnished by the Res^r of Joint
Stock Companies on the work
of the Act, dated 1st Nov 75, and
the Rules accompanying as mo-
dified and added to by Govt,
be submitted to the Govt of Ind
with the following letter, in
to Mr. Secretary Munro's dispo-
dated 25th August 75, No. 13-474.

2. The Rules above mentioned
for the discharge of the Registrar's
duties are approved and sanctioned
by Govt under the provisions of
Clause 2, Section 100 of Act No. 18 of 1866,
and ^{are} ordered to be published in
the Fort St. George Gazette for
general information.

The Res^r Joint Stock Companies
Rules for the Registrar

18.11.75.

35 (Draft rules.) 230

Judicial Department.
Fort St George, November 1875

Under the provisions of
Clause 2, Section 190 of the
Indian Companies' Act,
1866, No. X., the Governor
in Council directs that the
following Regulations be
observed for the discharge
of the duties of the Registrar
of Joint Stock Companies.

I. 1. The Registrar will per-
sonally scrutinize
to scrutinize all documents
before registra-
tion. The Memorandum
of Association
and the Articles
of Association of any
company applying for
registration, and the
other documents which
are

are required to be forwarded
by any registered Company;
and ascertain that they
are in conformity with the
provisions of the law before
he registers them.

2. He will keep a
Book, to be called "The
Register of Joint
Stock Companies".
In this Register will be
entered the names of the
registered Companies
in the order of their registra-
tion, with a number
to each consecutively.

One page in the Register
will be allotted to each
Company until another
page is required.

Under the name of each
Company will be entered
a note of every registration
effected, or record made,
relating to the Company;
and

and the Registrar will affix
thereto the date of such
registration and his sig-
nature.

From and after the
1st April 1846, the num-
bers assigned to the Companies
hereafter registered will be
in a consecutive series
which shall commence
and terminate with each
official year.

An alphabetical
Index will be kept of the
Companies registered.

III 3. The Certificate of
Incorporation of a Company
will be in the following
form, and will both be
given to the Company
and entered on its
random of Association.

No. (Here enter number
borne by Company on the Register)
I

I hereby certify, pursuant to Act X. of 1866, of the Governor General of India in Council, entitled "The Indian Companies' Act, 1866" that the (here enter name of Company)

is incorporated as a company under the aforesaid Act. (In the case of a limited company, the following words will be added) and that the said Company is limited.

(Signature)

Registrar of Joint Stock Companies.

Witness (here enter date)

4. On every document registered, the Registrar will endorse the number here

34 borne by the Company on the Register. (2) The name of the Company, (3) the name of the document, (4) the date of registration, and will affix thereto his signature.

When a document is registered, the Registrar will intimate the same to the Company. He will also grant a receipt for all fees paid.

V. 8. An Account of the fees will be kept by the Registrar of the fees received, and it will be audited by the Accountant General. The fees will be retained by the Registrar as his remuneration from 23rd Decr 1873 until 26th January 1874 inclusive. After that date,

date, the fees will be
remitted to the Treasury
on the day on which they
are paid to the Registrar,
or, if paid too late for
that day, on the following
day.

D. An annual Re-
count of the fees will be sub-
mitted by the
Registrar to Government
with a statement in detail
of the fees realized.

E. With the view of
enforcing the
punctual transmission of
documents by all
Companies of
the documents required
to be forwarded to the
Registrar, he will, when
ever any document is
overdue, request the
Government Solicitor to
take

35 take the necessary steps
for recovering the prescribed
penalties for default,
and, will send at the same
time a notice of his having
done so to the registered
Office of the Company
concerned.

467
The Registrar shall have the
knowledge of the existence of any company
in existence in which the
provisions of section 4 of the Act are
applicable, which company has omitted to
register itself, he shall communicate
with the Government Solicitor in view to the
ordinary steps being taken by the latter
for the recovery of the penalties, which
such Company may be liable to.

The Registrar shall provide a room
where a person applying for the inspection
of documents may sit at a table and in
which under the supervision of the Registrar
person applying for inspection of documents
may sit at a table and in which under the supervision of the Registrar
person applying for inspection of documents may sit at a table and in which under the supervision of the Registrar

It shall be the duty of the Registrar
to inform the Companies concerned, by the provisions

adp 16/12
with clause of 2512 } A 25-13.
70

Incl: Sept.

27⁸

The Secretary to the
Govt of India,
Dept of Revenue, Agriculture, Commerce (Statistics)

Sir,

I am directed by the Govt in
Council to submit the accompany-
ing Report from the Registrar of
Joint Stock Companies, furnishing
the information called for by the
Govt of India in your letter dated
25 Aug/75, No 13-474, on the working
of the Act.

2. It was only recently (23rd Jan/75)
that this Govt formally appointed a
Regt of Joint Stock Companies for
Madras, under clause 1, sec 190, of Act
of 1866. Previously to that date, the
duties of the Office were discharged, un-
der the provisions of clause 6, section 9,
Act of 1857, by the Registrar of the
Original Suits of the High Courts
"Keeper of the Records of the Supreme
Court of the Presidency." So far as the
Govt are aware, no establishment was
maintained under that Officer

Encl. 1

Draft Rules
Referred to in letter
from Registrar of
Joint Stock Companies
to Chief Secretary
to Government dated
November 18/5 Jan.

1st Dec/75

MD
26/14

Incl. 3557

who was supposed to take the fees
for himself by way of remuneration
for the duties imposed on him. Since
the appointment of Mr. Terrand
to the Office of Registrar of Joint
Stock Companies, the Govt have intro-
duced an arrangement by which
he is to collect and take the fees for
himself, experimentally for two
years, under the Accountant Genl's
audit, after which the question of
a fixed salary is to be considered.

3. No Regulations were framed under clause 2 of section 190 of the Act, but the Govt have now approved the accompanying Rules which the Registrar was called upon to frame as, in his experience, best suited to ensure the proper working of the Act. The Rules as drawn by the Registrar have ^{been} slightly modified and added to by the Govt.

to by the Govt.
The Govt have not thought
fit, under Clause 3 Section 192, to
appoint any District Offices of
Registration. They do not consider
that there is any necessity for
such Offices, as all registrations
in this Presidency may be made,
and all business conducted, in the

38

Registrar's Office at Madras, without
any inconvenience to the Companies
working up country.

5. It will be seen from para 3 of Mr. Ferrand's letter, that he has a room available in his Office, in which any person applying for inspection and copies of documents, may conveniently sit and inspect the documents he needs under the supervision of the Registrar, and where he may obtain copies of such documents as he may require. The only restriction to parties applying is, that they must apply to the Registrar between Office hours; but no formalities as to method of application ^{are imposed} ~~are imposed~~.

6. The fees fixed and prescribed under the Act are detailed in para 4 of Mr. Ferrand's letter; but in order that the public should be fully informed in this respect, the Govt have directed that the Table of fees chargeable under the Act be incorporated in the Rules prescribed for the guidance of the Regs., as will be seen by referring to the accompanying Rules as approved by the Govt. These Rules have been directed

to be published in the Official
Gazette. From an account received
by Mr. Trenchard from the
the High Court, it appears that the
to fees realized in the last Official
Star Year, viz from 1st April to 31 March
1875, amounted to Rs 2,463.11.4; but
he owing to the former fee books not
having been carefully preserved,
yes the probability that the account
for the early part of the past Official
Year may be incomplete, Mr. Tre.
3. which has deemed it advisable
to give an account of the fees
realized by him from the 27th June
to the 31 October last, which he states
to have amounted to Rs 3673 in the
nine months comprised by that period.
4. With reference to paragraph
of your letter; the Registrar reports
that he examines the Register of Com-
panies from time to time, & is able to
from such examination when
duties are overdue; that thereupon he
sends a notice of the fact to the Sec-
retary of the Company, which is generally
effective in bringing in the Returns
required; that he does not ^{however} possess any
means of deducting ^{special} omissions on
the part of Companies, as for instance neg-

39
lecting to send in a copy of a Resolu-
tion altering their Regulations, which
they are bound to do under section
53 of the Act; that he personally
scrutinizes all Returns submitted
to his Office, and generally finds them
to be correct; that he sometimes has
received defective Returns, as for in-
stance, a Balance Sheet unbalanced,
a list of members without the required
summary of particulars, a Special
Resolution in manuscript instead
of in print, &c &c; but that he
has no means of testing the correct-
ness of ~~the~~ the correctness of the
several entries in the Balance Sheet
or in the list of members. The
careful preparation and the perusal
and signing of the Accounts & Balance
Sheets of Companies are matters, however,
that are amply provided for by the
Act itself.
8. No prosecutions have hi-
therto been instituted for neglect to
submit Returns; but it will be seen
from the Rules sanctioned by the
Govt, that the Registrar is authorized
to take the necessary steps through
the Govt Solicitor to recover the penal-
ties prescribed by law for default.
9. I am directed, lastly, to submit

2 a complete list of all the Com.
1 panies that have been registered
1 from 7th Decr 1855 to 31st Decr/75,
2 with appropriate columns show-
3 ing the names of the Companies,
4 the date of their registration, the
5 object for which each was establish-
6 ed, and whether a Company is
7 still working, or is in course of
8 winding up, or has been dissolved, and
9 the other particulars required by
3 the Govt of India.

For Jth Secy
1st Decr 1875

Ch. L. 2

14

Myself, with the 1st Regt
of the 1st Div
of the 1st Army

1st Regt
1st Div
1st Army

61

25.1.12

17.6.13

not. Orgl

27.7.15 / 9. 8-22 14-5

1875.

REVENUE, AGRICULTURE,
AND COMMERCE DEPARTMENT.

To
The Chief Secretary to Government
Port St. George.

To
The Secretary to the Govt. of India
Rev., Agric., and Comm. Dept.

Dated 1st December 1875.

Recd.

Recd.

No. 2513.

