

Local & Munl. (189) Department.

INDEXED.

PRINTED.

G.O., No. 314 L

DATED 22/2/98

DESPATCHED

[Despatch Abstract.]

Local Fund Provident Institutions

Stating that until the — in the
Presidency are protected by law from
attachment in execution of decrees of
Civil courts the contributions made to the
Provident fund or such portion of it as
may be necessary should be withdrawn &
credited to the deposit account in
lieu of the security payable by the
Subscribers concerned.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government (1898) of Madras. LOCAL AND MUNICIPAL.

Recd.

Regd.

} 1898.

Enclosures

Spare copies

G.O., No. 314 L., 22nd February 1898.

FEBRUARY.

Local Fund Provident Institutions.

Stating that, until the — in the Presidency are protected by law from attachment in execution of decrees of civil courts, the contributions made to the Provident fund, or such portion of it as may be necessary, should be withdrawn and credited to the deposit account in lieu of the security payable by the subscribers concerned.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—the following paper :—

From R. MORRIS, Esq., President, District Board, Kistna, to the Secretary to Government, Local and Municipal Department, dated Camp, Masulipatam, 28th January 1898, Ref. on C. No. 1713-D.B.

Paragraph 5 of G.O., No. 1049 L., dated 17th June 1895, lays it down that in the case of servants contributing to the Provident fund, the amount of such contributions may be taken in lieu of security as soon as the total of the contributions exceeds the amount of security demanded from them. The Government order does not, however, lay down the manner in which the contribution to the Provident fund may be taken as security. The contributions to the Provident fund are not protected from seizure by creditors under civil process. Hence, if the contributions are retained in the Provident fund account, they are liable to be seized at any time by creditors, and thus will not serve the same purpose as a security deposit. There have been some cases of attachment of Provident fund contribution in this district and the question therefore directly arises. Until, therefore, the Government is prepared to undertake legislation for the protection of the Provident funds, it seems necessary that the contributions must be withdrawn from the Provident fund account and transferred to a security deposit account. As this is a matter of general importance, the favour of a definite order of Government on the point is requested.

ORDER—No. 314 L., dated 22nd February 1898.

The Government has decided to address the Government of India in the matter of protecting the Local Fund Provident funds in this Presidency from attachment in execution of decrees under the Code of Civil Procedure. Meanwhile, the contributions made to the Provident fund, or such portion of it as may be necessary, should be withdrawn and credited to the deposit account in lieu of the security payable by the subscribers concerned.

(True Extract.)

H. TREMENHEERE,
Ag. Secretary to Government.

To the President, District Board, Kistna.
„ all other Presidents of District Boards.
„ the Accountant-General.

Ex d. Shaik Karim.

Government {1898} of Madras.
LOCAL AND MUNICIPAL.

Proof for approval

Re.
4-3-98

Press
Stacks off in one
11/5/98

Recd.

Enclosures

1898.

Regd.

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G.O., No. 314 L., 22nd February 1898.

FEBRUARY.

Local Fund Provident Institutions.

Stating that, until the — in the Presidency are protected by law from attachment in execution of decrees of civil courts, the contributions made to the Provident fund, or such portion of it as may be necessary, should be withdrawn and credited to the deposit account in lieu of the security payable by the subscribers concerned.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

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ORDER—No. 314 L., dated 22nd February 1898.

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(True Extract.)

Ag. Secretary to Government.

To the President, District Board, Kistna.
 „ all other Presidents of District Boards.
 „ the Accountant-General.

Exd. Shaik Karim.

LOCAL & MUNL. (1897) DEPARTMENT.

CURRENT No. 341 L



From, R. Morris Esquire
President District Board
Kistna.

Secretary

Order.

No 314 Lg 22/2/98
+ Sm 1/1

The Government has ~~already~~

decided to address the Government of India in the matter of protecting the Local Fund Provident Funds in this Presidency from attachment in execution of decrees under the Code of Civil Procedure. Meanwhile the contributions made to the Provident Fund or such portion of it as may be necessary, should be withdrawn and credited to the deposit account in lieu of the Security payable by the subscribers concerned.

* In the order confirming the
draft rules in $\frac{90.433L}{4-3-97}$

Refou b No. $\frac{1713}{263}$ of 97.

Dated 28-1-1898.

Received

Registered

Enclosures

Spare copies

SUBJECT.

Reporting that the Provident Fund will not serve the purpose of security deposit and ~~requesting for view~~ ^{stating that until the fact is pre-} ~~pared to undertake legislation for the protection~~ ^{orders about the protection} ~~of the same from attachment~~ ^{of the Provident funds from attachment} for debt it seems necessary that the Contributions should be ~~drawn~~ ^{withdrawn} 12/2/98. from the Provident Fd account and transferred to the security deposit account.

16. The President, District Board, Kistna
 17. All other Presidents of district Boards
 The Accountant General 11 Oct. 11/3/4

BACK PAPERS.

G. O.	No.	Department.	Date.

FURTHER PAPERS.

G. O.	No.	Department.	Date.

Ref on L. No. 1713 of 97
1883



KISTNA DISTRICT BOARD'S OFFICE,

Camp Masulipatam

Dated the 28 / 1 / 1898.

MUNICIPAL DEPARTMENT
CURRENT 342

From

R. Morris Esquire

PRESIDENT, DISTRICT BOARD

KISTNA.

To

THE ~~Chief~~ SECRETARY TO GOVERNMENT,

LOCAL AND MUNICIPAL DEPARTMENT,

MADRAS.

SIR,

Para 5 of G. O. No. 1049 L Local and Municipal dated 17th June 1895 lays it down, that in the case of servants contributing to the Provident Fund, the amount of such Contributions may be taken in lieu of security as soon as the total ^{of the} Contributions exceeds the amount of security demanded from them. The G. O. does not however lay down the manner in which the contribution to the Provident Fund may be taken as security. The contributions to the Provident Fund are not protected from seizure by creditors under civil process. Hence if the contributions are retained in the Provident

Fund Account, they are liable to be seized at any time by creditors and thus will not serve the same purpose as a security Deposit. There have been some cases of attachment of Provident Fund contribution in this District and the question therefore directly arises. Until therefore the Government is prepared to undertake legislation for the protection of the Provident Funds, it seems necessary that the contributions must be withdrawn from the Provident Fund Account and transferred to a Security Deposit Account. As this is a matter of general importance, the favor of a definite order of Government on the point is requested.

I have the honor to be

Sir

Your Most Obedient Servant

A. Sundaram Iyer

For President

31/1/98

28/98

First copy sent to Press. 24-2-98
Returned for signature. 8-3-98
Despatched in print. 11-3-98
14-3-98

READ AGAIN G.O. No. 189

CURRENT No. 341 L — A

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL

N.B.—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

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Please show proof
26/2/98

10/1/07

[$\frac{\text{Ref.}}{4}$]
15,000-13-2-06.

L

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Paper taken out of the Records from the charge of the Referencer.

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Miscellaneous No. 3142, dated 22-2-1908
Routine

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
1-1-07	CRD	4271	07	DA	17-1-07	RON
4-10-52	by Reserve	3			11/10/52	3