20-1-05 ✓
15-11-06 ✓
4.11.30 ✓

Marine (1896) Department.

G.O., No. 864 Mar

DATED 15 December

[Despatch Abstract.]

Rules relating to the Conduct of Govt Servants: Prov: Public Dept directing that the ruling and prohibition with respect to Civil Servants and Uncovenanted Officers in the Subordinate Executive and Judicial Services lending money to Proprietors of Lands &c to them shall be held applicable to Europeans or Americans equally with Natives, Council & the P. P. Officers

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T.C. 18/12

M. 6.
[2,000—23-10-96.]

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BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
8th	861	Marine	12.12.96				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
33½ 97							
8th	259	Marine	17.3.97				

Marine (1896) department

Current Number: 1339

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Government {1896} of Madras.

PUBLIC.

Recd. 5. 12. } 1896.
Regd. 5. 12. }

Enclosures -

Spare copies 5

G.O., No. 1251, 25th November 1896.

B No 864 thro' 15.12.96.
Communicated to the Presidency Post offices -

10/12/96

The P.S.O.

K.S. 18/12/96

NOVEMBER.

Rules relating to the conduct of Government Servants.

Notifying that the ruling and prohibition contained in the Government of India Resolution of 16th January 1890, No. 2–R.—87–103, in regard to money being lent by Covenanted and Statutory Civil Servants and officers of the Provincial and subordinate Executive and Judicial services, shall be held applicable to loans to Europeans or Eurasians equally with natives, irrespective of the fact that the lender merely acts as a trustee under a marriage settlement or that money was lent on the security of a house in a hill station or other town.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—the following paper :—

From the Secretary to the Government of India, Home Department (Public), dated Simla, the 28th October 1896, No. 1708.

Order—No. 1251, Public, dated 25th November 1896.

By its Resolution, No. 2-R—87-103, dated 16th January 1890, the Government of India extended to all uncovenanted officers in the subordinate Executive and Judicial services the ruling, under which Covenanted Civil Servants and members of the Statutory Civil Service are prohibited from lending money, directly or indirectly, to any proprietor or farmer of land, or dependent taluqdar or under-farmer, or raiyat, or their sureties; and prohibited such officers from lending money at interest, whether directly or through relatives or other agents, to landholders, with or without security, within the province in which they are employed.

2. The Government of India has now directed that the foregoing ruling and prohibition shall be held applicable to loans to Europeans or Eurasians equally with natives and considers that the fact that the officer lending the money is acting as a trustee under a marriage settlement, without profit or advantage to himself, in no way affects the prohibition.

3. The question having been raised as to whether the owner of house property in a hill station or other town is included in the terms "proprietor of land" or "land holder", the Government of India, in view of the doubt as to how the Courts might interpret the law (contained in section 2 of Bengal Regulation XXXVIII of 1793 which was reproduced in section 2 of Madras Regulation XIX of 1802) if the case of an Indian Civil Servant lending money on the security of a house came before them, is of opinion that it would not be safe for an Indian Civilian to lend money on such security. This view must, in accordance with the Resolution of 16th January 1890, be held to apply equally to such loans by officers of the Provincial and subordinate Executive and Judicial services.

(True Extract.)

A. J. Hannay
3/12/96
for *Ag. Chief Secretary.*

To all Members of the Indian Civil Service (Madras.)
" Departments of the Secretariat.
" Heads of Departments under the Chief Secretary.
Gazette.

Ed. A. Raitt.