

Public Works (1893) Department.

RAILWAY BRANCH.

G.O., No. 1166 R

DATED 31st August

[Despatch Abstract.]

Provident institution rules. — Endorsement of the Govt of India forwarding copy of its Communication to the Consulting Engineer to the Govt of India for Railways, Central division regarding the insertion of certain rule in the — relative to the recovery of outstandings against members of the Provident fund, who have retired &c, from the Company's service, communicated to the agents, Madras and South Indian Railways.

Indexed.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	2245	R	28-9-91				
	3000	R	15-12-91				
	2647	R	8-11-92				

FURTHER PAPERS.

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

8TH NOVEMBER 1892, No. 2647 R., PUBLIC WORKS.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Railway.

Read the following paper:—

From the Under-Secretary to the Government of India, Public Works Department (General), to the Joint Secretary to the Government of Madras, Public Works Department, Railway Branch, dated Simla, the 24th October 1892, No. 3436 G.

In continuation of Public Works Department letter No. 551 A.R., dated 28th October 1891, forwarding, for information, copies of the rules of the Provident Fund of the Madras and South Indian Railway Companies, as approved by the Secretary of State, I am directed to forward, in supersession thereof, copies of amended rules which have since received the approval of the Secretary of State and the Boards of the above Companies.

2. I am to add that the amended rules will be found to contain the following modifications:—

(i) Insertion of an additional clause under rule 2 (f) so as to provide for an officer whose salary is ordinarily chargeable to Revenue, but who is temporarily employed wholly on Capital works, being eligible for membership.

(ii) The substitution of the words "Government of India" for "Secretary of State" in rule 11 so as to provide for the appointment in India by this Government of trustees of the funds, who, it is observed, must be appointed by name and not by, or in virtue of, the office held.

ORDER—dated 8th November 1892, No. 2647 R., Public Works.

Communicated to the Consulting Engineer for Railways in continuation of Proceedings No. 3000 R., dated 15th December 1891.

(True Extract.)

(Signed) F. B. WALKER,
Offg. Joint Secy. to Govt., P.W.D.,
Railway Branch.

To the Consulting Engineer for Railways.
" Examiner, Guaranteed Railway Accounts.

Exd. T. Peters.
Spare Copies

RAILWAY.

Govt. of {1892} Madras.
PUBLIC WORKS.

Dated November, 8th.

Recd.

Encl.

G O., 8th Nov. 1892, No. 2347 R.

NOVEMBER.

Provident Fund

Letter from the Government of India forwarding copies of amended rules of — of the Madras and South Indian Railway Companies which have since been approved by the Secretary of State and the Boards of the Companies concerned, communicated to the Consulting Engineer.

MADRAS RAILWAY PROVIDENT.
INSTITUTION.

RULES AND REGULATIONS

for the maintenance and management of the Institution and the funds thereof, approved by the Secretary of State.

1. The institution shall be established as from the 1st day of January 1891, from which date the following Rules shall take effect. Commencement.

2. In these rules, unless there is something repugnant in the subject or context— Definitions.

(a) "Secretary of State" means the Secretary of State in Council of India.

(b) "Company" means the Madras Railway Company.

(c) "Railway" means the Railways belonging to or being worked or managed by the Company.

(d) "Committee" means a Committee in India, consisting of five principal Officers of the Company, viz., the Agent and Manager for the time being, and four other Officers (of whom the Chief Auditor shall not be one) to be from time to time nominated by the Agent and Manager. Three members of the Committee shall be a quorum.

(e) "Salary" means salary or wages, including personal or acting allowance, but excluding overtime, travelling or other fluctuating or extra allowances.

(f) "Member" means any servant of the Company, either in England or in India—

(1) Who receives salary from the Company, chargeable either in full or in part to the Company's Revenue Account.

(2) Who is not an Officer of Government.

(3) Whose salary is not less than 15 rupees a month, who is paid monthly, and who is entitled to not less than a month's notice before dismissal.

(4) Who is not serving under special covenant, or, if so serving, has nevertheless signified in writing his desire to be admitted to the benefits of the fund.

(5) Who having become eligible under the foregoing conditions may be employed temporarily on construction works entirely, so that his salary for the time being is chargeable in full to Capital.

(6) But does not include any servant of the Company either in England or India, who has joined the Company's service before the 1st January 1891, for employment on the Railway opened for public traffic, unless such servant shall accept an increase of salary on or after that date, or shall signify in writing his desire to be admitted to the benefits of the institution.

3. The Institution, subject to the general supervision and control of the Board of Directors of the Company, shall be managed in India by the Committee; and the necessary expenses of management shall be a Management of Institution.

charge against the funds of the Institution. The Committee may from time to time appoint from among the Members of the Institution one person, to be called the Manager, to transact such of the business of the Committee as they with the consent of the Board of Directors of the Company may think fit to intrust to him, and may, for the time given by him to the service of the Institution in excess of the time required of him by the Company in respect of his ordinary duties, as a servant of the Company, allow to, and pay, him out of the funds of the Institution, such salary or other remuneration as they, having regard to the duties to be from time to time discharged by him, may with the consent of the said Board think fit.

4. The payments by Members to the Institution shall be as follows:—

(1) **OBLIGATORY.**—Every married Member, or widower with a child or children dependent on him, not being of purely Asiatic descent, shall subscribe a sum at the rate of 6½ per cent. of the amount of his salary. Every other Member shall subscribe a sum at the rate of 3½ per cent. of the amount of his salary.

(2) **VOLUNTARY.**—Any Member may, on giving not less than one month's notice to the Committee of his intention so to do, make deposits in the Provident Institution from the amount of his salary, as he may think proper, and any Member who, having availed himself of this provision, may at any time desire to vary or discontinue the amount of such deposits, may do so on giving not less than one month's notice to the Committee of such intention. All such deposits will be held at the disposal of the depositor, subject to such regulations as to notice of withdrawal and repayment as may be made by the Committee, provided that such notice shall not be fixed in excess of one month.

5. Subscriptions and voluntary deposits of Members of the Home Establishment engaged on salaries payable in sterling shall from time to time be received by the Committee at the commercial rate of exchange into rupee currency obtained by the Board of Directors of the Company at the time of remittance.

6. The subscriptions of any Member absent on sick leave or furlough shall, during the period of such absence, be assessed on the full amount of salary to which, but for such absence, he would have been entitled during the said period.

7. The Company shall from time to time deduct from any sum payable by them to any Member in respect of salary such sum as may be required to pay any subscription due from him to the Institution, and shall from time to time pay over to the Committee in India all sums so deducted by them.

8. As soon as may be after the expiry of each half-year ending 30th June or 31st December, a contribution shall be made to the Institution out of the gross revenue receipts of the railway of a sum equal to one-half of the obligatory subscriptions of the Members during such half-year; and for every half-year in which there are surplus profits a further contribution of one-half per cent. of the net revenue receipts of the railway for such half-year shall, as soon as such net revenue receipts shall have been ascertained, be made to the Institution out of such surplus profits, so far as the amount of such surplus profits shall admit of the same: Provided that in all cases such contributions shall be at the discretion of the Board of Directors of the Company and the Secretary of State, and in no case shall the aggregate of such con-

Appointment and payment of Manager.

Payments by Members.

Obligatory subscriptions.

Voluntary deposits.

Discontinuance, or variation, or withdrawal.

Exchange.

Subscriptions of Members absent on sick leave or furlough.

Deduction by Company of subscriptions from salary.

Contributions by the railway to the funds of the Institution.

tributions for any half-year exceed either the aggregate of the obligatory subscriptions made during such half-year, or a sum equal to one per cent. of the net revenue receipts of the railway for such half-year.

9. As soon as may be after the expiry of each half-year the sum or sums contributed to the Institution under the last preceding rule in respect of such half-year shall be credited to the accounts of the Members of the Institution, in proportion to their respective obligatory subscriptions during the said half-year.

10. All contributions made to the Institution from Gross Revenue Receipts under these Rules shall be debited as a separate item to the Revenue of the Railway under Abstract G., "Special and Miscellaneous Expenditure," Sub-head VI, "Contributions to Railway Provident Institution."

11. There shall be two Trustees of the funds of the Institution; one of such Trustees shall be an Officer of the Government of India and shall be appointed by the Government of India, and one shall be an Officer in the service of the Company and shall be appointed by the Board of Directors of the Company. Any Trustee appointed by the Government of India may at any time be removed by the Government of India, and any Trustee appointed by the said Board of Directors may at any time be removed by them; and if and whenever any Trustee shall be so removed, or shall resign, or die, or become incapable of acting, another person qualified as aforesaid shall be appointed a Trustee in his place by the party by whom the Trustee so removed, or resigning, dying, or becoming incapable of acting, as the case may be, may have been originally appointed.

12. The Committee shall, as soon as two Trustees shall have been appointed as aforesaid, assign and transfer to such Trustees all securities in which for the time being any funds or moneys of the Institution may be invested, and shall from time to time pay into the Bank of Madras at Madras, or such other place as the Board of Directors of the Company with the sanction of the Secretary of State may from time to time determine, or into such other Bank as the Secretary of State shall from time to time appoint, to the credit of the Institution, to an account to be approved by the Secretary of State, all moneys from time to time received by the Committee on behalf of the Institution. All moneys to the credit of that account shall be dealt with only by the Trustees for the time being.

13. All moneys not immediately required for the purposes of the Institution shall be from time to time invested in manner following, that is to say:—

In the manner authorized by the Trust Investment Act, 1889, 52 & 53 Vict., cap. 32, and further,—

In Rupee Securities of the Government of India.

In Municipal or Harbour Trust Loans of the cities of Calcutta, Madras, or Bombay, or such other securities as shall from time to time be approved for the purpose by the Board of Directors of the Company and the Secretary of State.

Any investments shall from time to time be varied within the limits aforesaid upon the written direction of the Committee.

14. The Trustees shall from time to time, upon the written directions of the Committee, by a sale of the securities standing in their names or of a competent part thereof, raise such sum or sums as may be required for the purposes of the Institution.

15. The accounts of the Institution and of the Members shall be made up half-yearly to the 30th June and the 31st December; but the said accounts shall be rendered for each calendar year, and as soon as

Method of dealing with contributions.

Debit of contributions from Gross Receipts in Railway Accounts.

Appointment of Trustees.

Transfer of Securities, &c., to Trustees.

Investment of funds of Institution.

Realization of Securities.

Members' accounts.

may be after the 31st of December in each year, and the Committee shall thereupon render a Statement of his account to each Member of the Institution. For the purposes of this rule the investments of the Institution shall be valued at the market rates ruling at the close of each half-year.

Interest payable.

16. All amounts standing to the credit of Members shall be credited with interest. The rate of interest shall be that from time to time fixed upon by the Committee according to the results of the investment of the moneys of the Institution, due allowance being made for the expenses of management of the Institution in fixing this rate of interest.

Advance to Member in certain cases from the funds of the Institution.

17. If and whenever the amount standing to the credit of a Member, and unassigned under the next following rule, shall reach or exceed the sum of Rs. 600, and such Member shall be desirous of bringing his wife or family out from England, or of proceeding to Europe on medical certificate, or returning after such absence, an advance not exceeding Rs. 600 may be made to him on the security of the said amount to enable him to do so.

Assignment by Member in satisfaction of Guarantee Security.

18. If and whenever the amount standing to the credit of a Member shall reach the amount of the Guarantee Security required by the Company for his fidelity, so much of the interest of the said Member in the Institution and the funds thereof as shall be equal to the amount of the Guarantee, may be assigned by him to the Company by way of security in satisfaction of such Guarantee. But if the amount of the Guarantee Security be Rs. 100 or more, the Member may begin to make such assignment as soon as the amount of his said interest shall be equal to one-half of the amount of the Security.

Payments from the funds of the Institution to Members or their representatives.

19. Except as is by these Rules expressly provided, no Member, nor any person or persons on his behalf, or in respect of his interest in the Institution or the funds thereof, shall be entitled to claim any payment of money to him or them.

on retirement,

20. On the retirement of any Member of the Institution from the service of the Company, the Committee shall pay to him or his assigns the sum of money standing to his credit in the books of the Institution on the 30th day of June or 31st day of December preceding his retirement, together with interest thereon up to the end of the month last preceding his retirement, at the rate applicable to the last preceding half-year. They shall also return to him in full the amount of his paid-up subscriptions for the then current half-year, together with interest thereon calculated as herein-before stated.

on dismissal,

21. If any Member of the Institution shall be dismissed from the Company's service, the Committee shall pay to him the aggregate amount from time to time subscribed by him to the funds of the Institution, together with simple interest on the amounts (less any sum advanced to him by way of loan) subscribed by him from the end of the half-year in which they were paid at the rate or rates fixed under Rule 16, less any amount claimable by the Company or the Committee on account of loan or guarantee, and all moneys then standing to his

credit in the books of the Institution in respect of contributions made under Rule 9, together with any interest accrued thereon, shall upon such dismissal be forfeited to the use of the Institution, and shall be dealt with accordingly: Provided that the Committee may at any time, with the consent of the Board of Directors of the Company, pay to any such Member the amount or part of the amount to which he would have been entitled under Rule 20 if he had been permitted to retire, or had been discharged, from the service of the Company and had not been dismissed.

22. If any Member having assigned to the Company his interest in the Institution and the funds thereof under Rule 18 shall make any default in respect of which the Company would have been entitled to be indemnified from his Guarantee Security, the Committee shall, upon the demand of the Company, pay to the Company, from the moneys of such Member standing to his credit in the books of the Institution, the sum to which the Company would have been entitled from the said Guarantee Security, or so much thereof as the said moneys may be sufficient to pay.

23. On the death of any Member of the Institution whilst in the service of the Company, the Committee shall (subject to the provisions in these Rules after contained) pay to his executors or administrators the sum of money standing to his credit in the books of the Institution on the 30th day of June or 31st day of December preceding his death, together with interest thereon up to the end of the month last preceding his death at the rate applicable to the last preceding half-year. They shall also (subject as aforesaid) pay to his executors or administrators in full the amount of his paid-up subscriptions for the then current half-year, together with interest thereon calculated as herein-before stated.

24. In case any Member shall die leaving any moneys not exceeding Rs. 500, exclusive of interest, standing to his credit in the books of the Institution, and probate of will or letters of administration be not produced to the Manager, or if notice in writing of the existence of a will, and intention to prove the same, or to take out letters of administration, be not given to the Manager at the office of the Institution within the period of one month from the death of such Member, or if such notice be given, but such will be not proved, or letters of administration be not taken out, and the probate or letters of administration (as the case may be) produced to the Manager within the period of two months from the death of the Member, the Committee, after the period of one or two months, as the case may be, may at their discretion pay and divide such moneys to or amongst the widow or relatives of the deceased Member, or to any one or more of them, or, if the Committee shall think proper, according to the Indian Succession Act of 1865.

25. In case any Member shall die leaving any moneys standing to his credit in the books of the Institution exceeding Rs. 500, such moneys shall be paid to the executor or administrator only on the production to the Manager of the probate of the will or letters of administration of the estate or effects of such Member.

26. If any Member shall die intestate, leaving any person or persons who but for the illegitimacy of such Member or their own illegitimacy would be entitled to the moneys standing to his credit in the books of the Institution, the Committee may pay such moneys to any one or more of the persons who in their opinion would have been entitled to the same, according to the Indian Succession Act of 1865, but for such illegitimacy as aforesaid.

27. Any payment by these Rules directed to be made by the Committee may be made by them in India or in London, at their option; if in London, at the current commercial rate of exchange.

Form of Certificate of Member's balance.

28. In all cases wherein a certificate shall be required of the amount of the balance standing in the books of the Institution to the credit of a deceased Member, for the purpose of obtaining a probate of will or letters of administration, such certificate shall be in the following form:—

Member's Book.	
Place _____	Madras Railway Provident Institution.
No. _____	
It is hereby certified that the amount of the balance standing in the books of the Madras Railway Provident Institution to the credit of _____ of _____ numbered as above on the _____ day of _____ was _____	
Witness my hand this _____ day of _____ 18____.	
Entered _____	Manager.
Examined _____	

Payments from deposits of insane Members.

29. If any Member shall become insane, or otherwise incapacitated to act, and the same shall be proved to the satisfaction of the Committee, and if the Committee shall be satisfied of the urgency of the case, they may authorize payments from time to time out of the moneys standing to the credit of such Member in the books of the Institution to any person whom they shall judge proper, and the receipt of such person shall be a good discharge for the same.

Loss to funds of Institution.

30. Any loss to the funds of the Institution from any cause shall be borne by the Institution.

Audit of Accounts.

31. The accounts of the Institution, as made up from time to time, shall be audited, and their accuracy certified by the Chief Auditor of the Company.

New rules.

32. The Board of Directors of the Company, at their own instance, or upon the requisition of the Secretary of State, or upon the proposition of the Committee, may make any new rules as occasion shall require, and such new rules shall in all cases be subject to the sanction of the Secretary of State.

Settlement of disputes.

33. If any dispute shall arise between the Committee as the first party, and the Trustees of the Institution for the time being as the second party, or between the Committee as the first party and any individual Member, or any executor, administrator, next of kin, or creditor or assignee of a Member who may become bankrupt or insolvent, or any person claiming to be such executor, administrator, or next of kin, creditor, or assignee, or to be entitled to any moneys deposited in the Institution as the second party, then and in every such case the matter in dispute shall be referred in writing to an Advocate-General of Government in India, to be in each case named by the second party to the dispute; and an award, order, or decision of the said Referee shall be a condition precedent to any right of action of any party in difference in respect of any of the matters by these Rules provided for,

in any way arising thereout or connected therewith; and whatever award, order, or determination shall be made by the said Referee shall be binding and conclusive on all parties, and shall be final to all intents and purposes without any appeal.

I hereby agree to subscribe to the Madras Railway Provident Institution, and to be bound by the Rules and Regulations of the same.

Witness _____

_____ day of _____ 18____.

SOUTH INDIAN RAILWAY PROVIDENT INSTITUTION.

RULES AND REGULATIONS

for the maintenance and management of the Institution
and the funds thereof, approved by the Secretary of
State.

1. The Institution is established as from the 1st day of January Commencement 1891, from which date the following Rules shall take effect.

2. In these rules, unless there is something repugnant in the subject Definitions on context—

- (a) "Secretary of State" means the Secretary of State in Council of India.
- (b) "Company" means the South Indian Railway Company.
- (c) "Railway" means the Railways belonging to or being worked or managed by the Company.
- (d) "Committee" means a Committee in India, consisting of five principal Officers of the Company, viz., the Agent or the Chairman of the Agency for the time being and four other Officers (of whom the Chief Auditor shall not be one) to be from time to time nominated by the Agent or Chairman of the Agency. Three members of the Committee shall be a quorum.
- (e) "Salary" means salary or wages, including personal or acting allowance, but excluding overtime, travelling or other fluctuating or extra allowances.
- (f) "Member" means every servant of the Company, either in England or in India—

- (1) Who receives salary from the Company, chargeable either in full or in part to the Company's Revenue Account.
- (2) Who is not an Officer of Government.
- (3) Whose salary is not less than 15 rupees a month, who is paid monthly, and who is entitled to not less than a month's notice before dismissal.
- (4) Who is not serving under special covenant, or, if so serving, has nevertheless signified in writing his desire to be admitted to the benefits of the fund.
- (5) Who having become eligible under the foregoing conditions may be employed temporarily on construction works entirely, so that his salary for the time being is chargeable in full to Capital.

3. The Institution, subject to the general supervision and control of the Board of Directors of the Company, shall be managed in India by the Committee; and the necessary expenses of management shall be a charge against the funds of the Institution. The Committee may from time to time appoint from among the Members of the Institution one person, to be called the Manager, to transact such of the business of the

Management of
Institution.

Appointment
and payment of
Manager.

Committee as they with the consent of the Board of Directors of the Company may think fit to intrust to him, and may, for the time given by him to the service of the Institution in excess of the time required of him by the Company in respect of the ordinary duties as a servant of the Company, allow to, and pay, him out of the funds of the Institution, such salary or other remuneration as they, having regard to the duties to be from time to time discharged by him, may with the consent of the said Board think fit.

Payments by
Members.

4. The payments by Members to the Institution shall be as follows:—

Obligatory
subscriptions.

(1) **OBLIGATORY.**—Every married Member, or widower with a child or children dependent on him, not being of purely Asiatic descent, shall subscribe a sum at the rate of $6\frac{1}{2}$ per cent. of the amount of his salary. Every other Member shall subscribe a sum at the rate of $3\frac{1}{2}$ per cent. of the amount of his salary.

Voluntary
deposits.

(2) **VOLUNTARY.**—Any Member may, on giving not less than one month's notice to the Committee of his intention so to do, make deposits in the Provident Institution from the amount of his salary, as he may think proper, and any Member who, having availed himself of this provision, may at any time desire to vary or discontinue the amount of such deposits, may do so on giving not less than one month's notice to the Committee of such intention. All such deposits will be held at the disposal of the depositor, subject to such regulations as to notice of withdrawal and repayment as may be made by the Committee, provided that such notice shall not be fixed in excess of one month.

Discontinuance,
or variation, or
withdrawal.

Exchange.

5. Subscriptions and voluntary deposits of Members of the Home Establishment engaged on salaries payable in sterling shall from time to time be received by the Committee at the commercial rate of exchange into rupee currency obtained by the Board of Directors of the Company at the time of remittance.

Subscriptions of
Members absent
on sick leave or
furlough.

6. The subscription of any Member absent on sick leave or furlough shall, during the period of such absence, be assessed on the full amount of salary to which, but for such absence, he would have been entitled during the said period.

Deduction by
Company of
subscriptions
from salary.

7. The Company shall from time to time deduct from any sum payable by them to any Member in respect of salary such sum as may be required to pay any subscription due from him to the Institution, and shall from time to time pay over to the Committee in India all sums so deducted by them.

Contributions
by the railway
to the funds of
the Institution.

8. As soon as may be after the expiry of each half-year ending 30th June or 31st December, a contribution shall be made to the Institution out of the gross earnings of the railway of a sum equal to one-half of the obligatory subscriptions of the Members during such half-year; and for every half-year in which there is any residue of "net revenue receipts" available for division between the Company and the Secretary of State, in accordance with Section 60 of the Contract dated 24th November 1890 between the aforesaid parties, a further contribution of one-half per cent. of the net earnings of the railway for such half-year shall, as soon as such residue shall have been ascertained, be made to the Institution out of such residue, so far as the amount of such residue shall admit of the same: Provided that in all cases such contributions shall be at the discretion of the Board of Directors of the Company and the Secretary of State, and in no case shall the aggregate

of such contributions for any half-year exceed either the aggregate of the obligatory subscriptions made during such half-year, or a sum equal to one per cent. of the net earnings of the railway for such half-year.

9. As soon as may be after the expiry of each half-year the sum or sums contributed to the Institution under the last preceding rule in respect of such half-year shall be credited to the accounts of the Members of the Institution, in proportion to their respective obligatory subscriptions during the said half-year.

Method of
dealing with
contributions.

10. All contributions made to the Institution from Gross Earnings under these Rules shall be debited as a separate item to the Revenue of the Railway under Abstract G., "Special and Miscellaneous Expenditure," Sub-head VI, "Contributions to Railway Provident Institution."

Debit of contri-
butions from
Gross Earnings
in Railway
Accounts.

11. There shall be two Trustees of the funds of the Institution; one of such Trustees shall be an Officer of the Government of India and shall be appointed by the Government of India, and one shall be an Officer in the service of the Company and shall be appointed by the Board of Directors of the Company. Any Trustees appointed by the Government of India may at any time be removed by the Government of India, and any Trustee appointed by the said Board of Directors may at any time be removed by them; and if and whenever any Trustee shall be so removed, or shall resign, or die, or become incapable of acting, another person qualified as aforesaid shall be appointed a Trustee in his place by the party by whom the Trustee so removed, or resigning, dying, or becoming incapable of acting, as the case may be, may have been originally appointed.

Appointment of
Trustees.

12. The Committee shall, as soon as two Trustees shall have been appointed as aforesaid, assign and transfer to such Trustees all securities in which for the time being any funds or moneys of the Institution may be invested, and shall from time to time pay into such Bank and at such place as the Board of Directors of the Company with the sanction of the Secretary of State may from time to time determine, to the credit of the Institution, to an account to be approved by the Secretary of State, all moneys from time to time received by the Committee on behalf of the Institution. All moneys to the credit of that account shall be dealt with only by the Trustees for the time being.

Transfer of
Securities, &c.,
to Trustees.

13. All moneys not immediately required for the purposes of the Institution shall be from time to time invested in manner following, that is to say:—

Investment of
funds of Institu-
tion.

In the manner authorized by the Trust Investment Act, 1889, 52 & 53 Vict., cap. 32, and further,—

In Rupee Securities of the Government of India.

In Municipal or Harbour Trust Loans of the cities of Calcutta, Madras or Bombay, or such other securities as shall from time to time be approved for the purpose by the Board of Directors of the Company and the Secretary of State.

Any investments shall from time to time be varied within the limits aforesaid upon the written direction of the Committee.

14. The Trustees shall from time to time, upon the written directions of the Committee, by a sale of the securities standing in their names or of a competent part thereof, raise such sum or sums as may be required for the purposes of the Institution.

Realization of
Securities.

15. The accounts of the Institution and of the Members shall be made up half-yearly to the 30th June and the 31st December; but the said accounts shall be rendered for each calendar year, and as soon as

Members'
accounts.

may be after the 31st of December in each year, and the Committee shall thereupon render a Statement of his account to each Member of the Institution. For the purposes of this rule the investments of the Institution shall be valued at the market rates ruling at the close of each half-year.

16. All amounts standing to the credit of Members shall be credited with interest. The rate of interest shall be that from time to time fixed upon by the Committee according to the results of the investment of the moneys of the Institution, due allowance being made for the expenses of management of the Institution in fixing this rate of interest.

17. If and whenever the amount standing to the credit of a Member, and unassigned under the next following rule, shall reach or exceed the sum of Rs. 600, and such Member shall be desirous of bringing his wife or family out from England, or of proceeding to Europe on medical certificate, or returning after such absence, an advance not exceeding Rs. 600 may be made to him on the security of the said amount to enable him to do so.

18. If and whenever the amount standing to the credit of a Member shall reach the amount of the Guarantee Security required by the Company for his fidelity, so much of the interest of the said Member in the Institution and the funds thereof as shall be equal to the amount of the Guarantee, may be assigned by him to the Company by way of security in satisfaction of such Guarantee. But if the amount of the Guarantee Security be Rs. 100 or more, the Member may begin to make such assignment as soon as the amount of his said interest shall be equal to one-half of the amount of the Security.

19. Except as is by these Rules expressly provided, no Member, nor any person or persons on his behalf, or in respect of his interest in the Institution or the funds thereof, shall be entitled to claim any payment of money to him or them.

20. On the retirement of any member of the Institution from the service of the Company, the Committee shall pay to him or his assigns the sum of money standing to his credit in the books of the Institution on the 30th day of June or 31st day of December preceding his retirement, together with interest thereon up to the end of the month last preceding his retirement, at the rate applicable to the last preceding half-year. They shall also return to him in full the amount of his paid-up subscriptions for the then current half-year, together with interest thereon calculated as herein-before stated.

21. If any Member of the Institution shall be dismissed from the Company's service, the Committee shall pay to him the aggregate amount from time to time subscribed by him to the funds of the Institution, together with simple interest on the amounts (less any sum advanced to him, by way of loan) subscribed by him from the end of the half-year in which they were paid at the rate or rates fixed under Rule 16, less any amount claimable by the Company or the Committee on account of loan or guarantee, and all monies then standing to his

Interest payable.

Advance to Member in certain cases from the funds of the Institution.

Assignment by Member in satisfaction of Guarantee Security.

Payments from the funds of the Institution to Members or their representatives.

on retirement,

on dismissal,

credit in the books of the Institution in respect of contributions made under Rule 9, together with any interest accrued thereon, shall upon such dismissal be forfeited to the use of the Institution, and shall be dealt with accordingly: Provided that the Committee may at any time, with the consent of the Board of Directors of the Company, pay to any such member the amount or part of the amount to which he would have been entitled under Rule 20 if he had been permitted to retire, or had been discharged, from the service of the Company and had not been dismissed.

22. If any Member having assigned to the Company his interest in the Institution and the funds thereof under Rule 18 shall make any default in respect of which the Company would have been entitled to be indemnified from his Guarantee Security, the Committee shall, upon the demand of the Company, pay to the Company, from the moneys of such Member standing to his credit in the books of the Institution, the sum to which the Company would have been entitled from the said Guarantee Security, or so much thereof as the said moneys may be sufficient to pay.

23. On the death of any Member of the Institution whilst in the service of the Company, the Committee shall (subject to the provisions in these Rules after contained) pay to his executors or administrators the sum of money standing to his credit in the books of the Institution on the 30th day of June or 31st day of December preceding his death, together with interest thereon up to the end of the month last preceding his death at the rate applicable to the last preceding half-year. They shall also (subject as aforesaid) pay to his executors or administrators in full the amount of his paid-up subscriptions for the then current half-year, together with interest thereon calculated as herein-before stated.

24. In case any Member shall die leaving any moneys not exceeding Rs. 500, exclusive of interest, standing to his credit in the books of the Institution, and probate of will or letters of administration be not produced to the Manager, or if notice in writing of the existence of a will, and intention to prove the same, or to take out letters of administration, be not given to the Manager at the office of the Institution within the period of one month from the death of such Member, or if such notice be given, but such will be not proved, or letters of administration be not taken out, and the probate or letters of administration (as the case may be) produced to the Manager within the period of two months from the death of the Member, the Committee, after the period of one or two months, as the case may be, may at their discretion pay and divide such moneys to or amongst the widow or relatives of the deceased Member, or to any one or more of them, or, if the Committee shall think proper, according to the Indian Succession Act of 1865.

25. In case any Member shall die leaving any moneys standing to his credit in the books of the Institution exceeding Rs. 500, such moneys shall be paid to the executor or administrator only on the production to the Manager of the probate of the will or letters of administration of the estate or effects of such Member.

26. If any Member shall die intestate, leaving any person or persons who but for the illegitimacy of such Member or their own illegitimacy would be entitled to the moneys standing to his credit in the books of the Institution, the Committee may pay such moneys to any one or more of the persons who in their opinion would have been entitled to the same, according to the Indian Succession Act of 1865, but for such illegitimacy as aforesaid.

27. Any payment by these Rules directed to be made by the Committee may be made by them in India or in London, at their option; if in London, at the current commercial rate of exchange.

on death, of sums not exceeding Rs. 500.

on death, of sums exceeding Rs. 500.

on death, in respect to illegitimacy.

Payments where to be made.

Form of Certificate of Member's balance.

28. In all cases wherein a certificate shall be required of the amount of the balance standing in the books of the Institution to the credit of a deceased Member, for the purpose of obtaining a probate of will or letters of administration, such certificate shall be in the following form:—

Member's Book.	South Indian Railway Provident Institution.
Place _____	
No. _____	
It is hereby certified that the amount of the balance standing in the books of the South Indian Railway Provident Institution to the credit of _____ of _____ numbered as above on the _____ day of _____ was _____	
Witness my hand this _____ day of _____ 18 _____	
Entered _____	Manager.
Examined _____	

Payments from deposits of insurance Members.

29. If any Member shall become insane, or otherwise incapacitated to act, and the same shall be proved to the satisfaction of the Committee, and if the Committee shall be satisfied of the urgency of the case, they may authorize payments from time to time out of the moneys standing to the credit of such Member in the books of the Institution to any person whom they shall judge proper, and the receipt of such person shall be a good discharge for the same.

Loss to funds of Institution.

30. Any loss to the funds of the Institution from any cause shall be borne by the Institution.

Audit of Accounts.

31. The accounts of the Institution, as made up from time to time, shall be audited, and their accuracy certified, by the Chief Auditor of the Company.

New rules.

32. The Board of Directors of the Company, at their own instance, or upon the requisition of the Secretary of State, or upon the proposition of the Committee, may make any new rules as occasion shall require, and such new rules shall in all cases be subject to the sanction of the Secretary of State.

Settlement of disputes.

33. If any dispute shall arise between the Committee as the first party, and the Trustees of the Institution for the time being as the second party, or between the Committee as the first party and any individual Member, or any executor, administrator, next of kin, or creditor or assignee of a Member who may become bankrupt or insolvent, or any person claiming to be such executor, administrator, or next of kin, creditor, or assignee, or to be entitled to any moneys deposited in the Institution as the second party, then and in every such case the matter in dispute shall be referred in writing to an Advocate-General of Government of India, to be in each case named by the second party to the dispute; and an award, order, or decision of the said Referee shall be a condition precedent to any right of action of any party in difference in respect of any of the matters by these Rules provided for,

in any way arising thereout or connected therewith; and whatever award, order, or determination shall be made by the said Referee shall be binding and conclusive on all parties, and shall be final to all intents and purposes without any appeal.

I hereby agree to subscribe to the South Indian Railway Provident Institution, and to be bound by the Rules and Regulations of the same.

Witness _____
_____ day of _____ 18 _____

All communications
should be addressed
to the Secretary.

No. 2135 G.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

10/12/93
Sirimla, the 14th August 1893.

The following is forwarded to
the Joint Secretary to the Government
of Madras, Public Works Department,
Railway Branch, with the intimation that
the rule referred to has likewise been
approved by the Boards of the Madras
and South Indian Railways and by the
Secretary of State. It is accordingly
requested that the rule may be embodied
as rule 26 A of the Provident Institution
Rules of these lines.

By order,

G. Mulwalke

Under Secy. to the Govt. of India

Mr.

Copy

Copy of a letter No. 2134 G, dated
the 14th August 1893, from the Secretary
to the Government of India, Public Works
Department to the Consulting Engineer
to the Government of India for Railways,
Central Division.

With reference to correspondence
ending with Public Works Department
letter No. 1001 G, dated 19th April last,
regarding the proposed addition of a
Subsidiary rule to the Provident Institution
Rules of the Bengal Nagpur Railway,
I am directed to state that the rule
quoted on the margin has received

the approval
of the Secretary
of State for
India and the
Boards of the
Bengal Nagpur

Rule 26A. In case of there being any
outstandings due to the Company by a member
who may have retired or been dismissed or
died, the Committee may deduct the
amount of such outstandings from the
amount, if any, that would otherwise
be payable to the member, or his estate,
under the rules, and pay the balance
only after such deduction, which -
deduction may be made over to the
Company's Auditor in India. A deceased
member should be treated as dismissed
from the Company's service.

and Indian Midland Railways, and

to request that it may be embodied
as rule 26 A in the Provident Institution
Rules of the Railways above named.

Dec: 22-8-53

B

No. 1166 R 231 Aug 73.

His
29 Aug

Communicated to
the Agents, Bridges and
South Indian Railway
for information.

WV/ 3m
DESPATCHED 20 H
2.2.55

To Mr. Agent, Mrs. R. J. Under
- do - S. S. R. J.
- do - Ex. 60 R. J. C. J.

2-17/53