

# The Indian Civil Service (Bengal) Loans Prohibition Regulation, 1793

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India

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### Act 38 of 1793

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The Indian Civil Service (Bengal) Loans Prohibition Regulation, 1793(Bengal Regulation 38 of 1793)[Dated 1st May, 1973]A Regulation for re-enacting, with Modifications such part of the rule passed on the 27th June, 1788, as prohibits covenanted Civil Servants of the [Government] [Substituted by the A.L.O.] employed in the administration of justice or the collection of the public revenue lending money to zamindars, independent talukdars or other actual proprietors of land, or dependant talukdars or farmers of land holding farms immediately of Government, or the under-farmers or raiyats of the several descriptions of proprietors and farmers of land above-mentioned; or their respective sureties [\* \* \*] [The remainder of the title repealed by Act 12 of 1891.]

### 1. Preamble.

- At an early period after the establishment of the British Government in this country the servants of the Company employed in the administration of justice and the collection of revenue were prohibited from lending money to the landholders and farmers, and others concerned in the collection or payment of the revenue, in order to guard against the abuses that the powers with which they were invested would have enabled them to practise had they been permitted to engage in such transactions with individuals subject to their official control and authority. This rule was incorporated with the Judicial Regulations passed on the 5th July, 1781, and has since continued in force.[x x x] [Repealed by Act 12 of 1891.]The rules above mentioned are hereby re-enacted with modifications.

## **2. Covenanted servants prohibited from lending money to proprietors, etc., of land.**

- The Judges and Magistrates of the Zila [\* \*] [The words 'And City' repealed by Act 16 of 1874.] Courts [\* \*] [The words 'the Judges of the Provincial Courts of Appeal and the Courts of Circuit, and the Registers to their respective Courts', repealed by Act 16 of 1874.] and their Assistants or other officers being covenanted servants of the [Government] [Substituted by the ALO.], and the Collectors of the revenue and their Assistants, are prohibited from lending money, directly or indirectly, to any proprietor or farmer of land, or dependant talukdar, or under-farmer or raiyat or their sureties; and all such loans as [\* \* \*] [The words 'have been made in opposition to the repealed prohibition of Government or which', repealed by Act 1 of 1903.] may be hereafter made are declared not recoverable in any Court of Judicature.[x x x] [Sections 3 to 6 repealed by Act 8 of 1868.]