

The M.P. Anusuchit Jan Jati Sahukar Niyam, 1980

MADHYA PRADESH

India

The M.P. Anusuchit Jan Jati Sahukar Niyam, 1980

Rule THE-M-P-ANUSUCHIT-JAN-JATI-SAHUKAR-NIYAM-1980 of 1980

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The M.P. Anusuchit Jan Jati Sahukar Niyam, 1980 Published vide Notification No. F-16-1-73-1-25, dated 18 June 1981, M.P. Rajpatra, Extraordinary dated 22-6-1981, pp. 1091-96 Notification No. F-16-1-73-1-XXV, dated 18 June 1981. - In exercise of the powers conferred by Section 28 of the Madhya Pradesh Anusuchit Janjati Sahukar Viniyam, 1972 (No. 2 of 1972), the State Government hereby makes the following rules, the same having been previously published as required by sub-section (1) of the said section namely :-

1. Short title.

- These rules may be called The Madhya Pradesh Anusuchit Janjati Sahukar Niyam, 1980.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Form" means a form appended to these rules; (b) "Inspector" means an Inspector appointed under Section 16; (c) "Licensing authority" means the Sub-Divisional Officer having jurisdiction over the shop or place of business of money lending in respect of which, money-lender's licence is required under Section 3 of the Regulations; (d) "Regulations" means the Madhya Pradesh Anusuchit Janjati Sahukar Viniyam, 1972 (No. 2 of 1972); (e) "Section" means a section of the Regulations.

3. Application for licence.

(1) The application for money-lender's licence under clause (a) of sub-section (1) of Section 4 shall be made in Form I to the licensing authority and it shall be delivered by the applicant personally at his office during office hours or through an agent duly authorised in writing in this behalf or shall be sent by registered post. The application shall be accompanied by a satisfactory proof of payment of fee required under clause (b) of sub-section (1) of Section 4. (2) An application for renewal of a

licence shall be made in the manner prescribed in sub-rule (1) to the licensing authority at least thirty days before the licence is due to expire.

4. Manner of payment of licence fee.

- The licence fee payable under clause (b) of sub-section (1) of Section 4 shall be paid either in cash or by remitting it by postal money order or by crediting it to State Government account at a treasury or sub-treasury under the head of account.

5. Form of licence.

- Every licence granted under the Regulations shall be in Form II.

6. The authority under Section 4(4).

- The authority for the purpose of sub-section (4) of Section 4 shall be Deputy Collector/S.D.O. (Revenue) Additional Collector/Collector.

7. Appeal.

- Any person aggrieved by an order of the licensing authority under sub-section (3) of Section 4 or sub-section (1) of Section 21 may appeal to the Collector.

8. Charges to be demanded by a money-lender.

- The following charges may be demanded or taken from the debtor under sub-section (2) of Section 7, namely : (a) reasonable cost of investing title to the property; (b) cost of stamp; (c) cost of registration of documents; (d) cost, charges or expenses leviable under any law for the time being in force.

9. Cash book, ledger, statement and pass book.

(1) Cash book and ledger to be maintained under sub-section (1) of Section 8 shall be in Forms III and IV respectively. (2) The statement referred to in sub-section (2) of Section 8 shall be in Form V. (3) The pass book referred to in the proviso to sub-section (2) of Section 10 shall be in Form VI.

10. Authority under Section 8 (5).

- The authority for purposes of sub-section (5) of section 8 shall be the inspector.

11. Particulars to be contained in the receipt.

- The receipt to be granted by the money-lender under clause (a) sub-section (6) of Section 8 shall also contain the rate of interest to be charged in respect of the loan advanced by him to the debtor.

12. Annual statement of accounts and pass book.

(1)The annual statement of account to be delivered by a money-lender to each of his debtors under sub-section (1) of Section 10 shall be in Form VII.(2)The said statement shall be supplied to the debtor within thirty days after the close of the year for which the accounts of the money lender are ordinarily maintained.

13. The authority to whom the copy of the annual statement shall be delivered.

- The copy of the annual statement to be delivered by the money-lender under sub-section (4) of Section 10 shall be delivered or cause to be delivered to the licensing authority concerned.

14. Fee to be paid by a debtor.

- The fee to be paid by a debtor to a money lender for supplying on demand a statement and copies of documents under sub-section (6) of Section 10 shall be at the following rates, namely :(i)a statement under clause (i) of sub-section (6) of Section 10;(ii)copying charges for any document relating to loan-(a)where it is running matter for each 100 words;(b)where it is tabular statement for each 100 words; plus cost of paper as per market rate per sheet or foolscap size.

15. Certificate authorising debt collectors.

- The certificate under sub-section (1) of Section 15 shall be granted by the licensing authority in Form VIII for a period of one year and it shall contain the following particulars, namely;(i)Name(ii)Father's Name(iii)Caste(iv)Age(v)Profession(vi)Permanent address

16. Cognizance of offences.

- The cognizance of offences under Section 19 shall be taken by the Court on a complaint made by the Block Development Assistant, Area Organiser, Circle Organiser, Tahsildar, Naib Tahsildar, Revenue Inspector, Sub-Divisional Officer (Forest), Assistant Conservator of Forest or Range Officer.

17. Procedure for enquiries and appeals.

- The provisions of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959):(a)as contained in Chapter IV of the said code and the rules made thereunder so far as they relate to enquiry shall

apply to be made under the regulations; and(b)The provisions of the said code and the rules made thereunder so far as they relate to appeal, shall apply to the appeal preferred under Rule 7 as they apply to the appeal to the Collector under the said code.

Form I[See Rule 3 (1)]Form of Application for Money Lender's Licence Renewal of Money Lender's Licence under the Madhya Pradesh Anusuchit Janjati Sahukar Viniyam, 1972

(a)The name in which business of money lending is intended to be carried on.....(b)If the business of money lending is done by-(i)a registered firm, the name of the Manager Shri.....(ii)an undivided Hindu Family, the name of the Manager Shri.....(iii)an association of individuals, the names of the members of the association (1).....(2).....(3).....(c)Calendar year for which the licence is required.....(d)The area and the place, town or village of the business of money lending.....(e)The name of any other place in the State where the business of money lending is carried on or is intended to be carried on.....(f)The total amount of the capital which is intended to be invested in the year for which this application is being made.....(g)If the applicant has more than one shop or place of business of money lending, the names of persons who shall be in the management of the business at each such shop or place-

1.

.....

2.

.....

3.

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4.

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5.

.....Place.....Date.....Signature or thumb impression of the applicant

Form II(See Rule 5)(Seal)Money Lender's Licence under the Madhya Pradesh Anusuchit Janjati Sahukar Viniyam, 1972

Licence No.....Licence is hereby granted to Shri.....Resident of.....Tahsil..... District..... to carry on the business of money lending under the Madhya Pradesh Anusuchit Janjati Sahukar Viniyam, 1972, in/at.....during the year.....Name in which the business of money lending shall be carried on.Place.....Date.....Sub-Divisional Officer

Form III(See Rule 9)Form of cash book to be maintained by the money lender

Cash Book for the month of.....20.....

Receipt Payment

Date	Vr. No.	Source of receipt	purpose	Amount	Date	Vr. No.	To whom paid	purpose	Amount
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Date	Grand Total	Date	Total expenditure
			Closing Balance
			Grand Total

Signature of the authorised writer Signature of the authorised writer

Form IV[See Rule 9 (i)]Form of Ledger to be Maintained by the Money-LenderName of
Debtor..... S/o..... Age.....Caste/Tribe..... Resident of.....Patwari
Circle No.....RI Circle.....Tahsil.....District.....

Amount of Debt	Rate of interes	Date of Debt with ref. to cash book/Vr. No.	Debt No. of months for which interest due	Date fixed for repayments
Cash	Kind			
(1)	(2)	(3)	(4)	(5) (6) (7)

Security

Land	Ornaments and other articles
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Amt due	Khata No.	Khasra No.	Quantity or number	Description	Other	Voucher
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Repayments

Date of actual repayment with reference to cashbook/Vr. No.	Amount paid	Balance due	Remarks
Interest	Principal	Total	Principal Interest
(1)	(2)	(3)	(4) (5) (6) (7)

Form V[See Rule 9 (2)]Statement of Account of debt to be delivered by Money-lender to debtor within thirty days of debt.....(Name of Money-lender).....S/o.....Caste/TribeResident of.....a bonafide money lender licence No.....do hereby declare that I have advanced loan of Rs in cash or in kind details of which are as..... to Shri..... S/o..... Caste/Tribe.....resident of.....P.C. No.....R.I.C..... Tahsil.....District..... At the rate of interest against the security of in the presence of which is due to be repaid on..... the total amount due to be repaid being.....Principal Rs.....Interest Rs.....Quantity in kind.....Date.....Signature of Money-lenderForm VI[See Rule 9 (3)]Form of Pass Book to be supplied by the money-lender to the debtorName of Debtor..... S/o.....

Age.....Caste/Tribe.....Resident.....of.....of Patwari Circle No.....R.I. Circle..... Tahsil..... District..... Ledger No.....Account No.....Page No.....

Date	Particulars of Receipt/ Payment	Amount Received	Amount Paid	Balance	Signature of money lender
	Cash Kind	Principal	Interest		
(1) (2)		(3)	(4)	(5) (6)	(7) (8)

Form VII[See Rule 12 (1)]Annual Statement of Debt due against Debtors to the Money-lender as on 20.....Name of Debtor s/o.....Age..... Caste/Tribe..... Resident of..... Patwari Circle No.....R-I. Circle..... Tahsil..... District.....Account/Ledger No.....Page No.....

Date	Amount Due	Security	
	Principal Interest	Land	Other
Cash	Kind	Rate	Amount Khasra No. Quantity and No. Description

Repayments Balance, if any due

Amount	Paid	Principal	Interest
Date	Principal	Cash	Kind
Cash	Kind		

.....Signature of the Money Lender or AgentDeclarationI (Name of Money Lender)..... S/o.. aged.....of..... do hereby solemnly declare that the above annual account of debt due against Shri..... S/o..... aged..... of.....Acct./Ledger No.....is true and all transactions in this respect have been accounted for in the above statement.Dated.....Signature of the Money Lender or AgentForm VIII(See Rule 15)Certificate for debt collectionIn the Court of Shri.....Collector,.....District.....Shri..... son of shri..... Caste..... aged..... by profession..... his permanent address being..... debts on behalf is hereby authorised and granted certificate of collection shri..... a bonafide money lender licence No.....for a period of one year only ending.....This certificate is given on the..... day of.....under the seal and signature of the Collector.....Dated

Seal of Collector

Dated CollectorDistrict.....