

Gujarat Backward Classes Development Corporation (Recovery of Money) Rules, 2013

GUJARAT

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Rule

GUJARAT-BACKWARD-CLASSES-DEVELOPMENT-CORPORATION-R of 2013

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Gujarat Backward Classes Development Corporation (Recovery of Money) Rules, 2013Published vide Notification No. GH/10/2013/SSP/102013/150/A1, dated 9.12.2013Last Updated 5th November, 2019No. GH/10/2013/SSP/102013/150/A1. - In exercise of the powers conferred by Section 29 of the Gujarat Backward Classes Development Corporation Act, 1985 (Gujarat 11 of 1985), the Government of Gujarat hereby makes the following rules, namely:-

1. Short title.

(1)These rules may be called Gujarat Backward Classes Development Corporation (Recovery of Money) Rules, 2013.

2. Definitions.

(1)In these rules, unless the context otherwise requires -(a)"Act" means the Gujarat Backward Classes Development Corporation Act, 1985;(b)"Appellate Authority" means an authority appointed by the State Government under sub-Section (3) of Section 23 of the Act;(c)"Empowered Officer" means an officer empowered by the State Government under Section 23 of the Act;(d)"Form" means a form appended to these rules;(2)The words and expressions used but not defined in these rules shall have the same meaning assigned to them in the Act.

3. Recovery of money due to corporation.

(1)Where any amount is due to the Corporation from any person in respect of advances or other financial accommodation granted by it, the Managing Director shall make an application to the Empowered Officer in Form A.(2)On receipt of an application, the Empowered Officer shall acknowledge the receipt.(3)The Empowered Officer shall maintain register wherein, he shall make necessary entry about the application immediately after its receipt.(4)The Empowered Officer shall verify the application with record and shall give an opportunity of being heard to the person concerned and make such further inquiry as he may consider necessary.(5)After due enquiry, the Empowered Officer shall, within three months from the date of receipt of the application, pass an order determine the amount due to the Corporation and communicate the same to the Managing Director and to the person concerned.

4. Appeal.

(1)Any person aggrieved by an order of the Empowered Officer, issue under these rules may, within thirty days from date of communication of such order to him file an appeal against such order to the Appellate Authority:Provided that any such appeal may be entertained after the said period of thirty days if the appellant satisfies the Appellate Authority that he had sufficient cause for not making an appeal within time.(2)An appeal under sub-rule (1) shall be in Form B and shall state concisely the grounds on which it is based.(3)Along with the appeal under sub-rule (1), the appellant shall submit as many copies thereof as there are parties impleaded.(4)On receipt of appeal and the copies, thereof the Appellate Authority shall send a copy of appeal to each of the parties impleaded specifying a date on or before which he may make his representation, if any, against the appeal.(5)After receiving of such appeal and representation against the appeal, the Appellate Authority may call for the record of the case and after examining the record of the case, may confirm, modify or set aside the order or pass such order in relation thereto as may deem just and proper.

5. Recovery Certificate by Managing' Director.

(1)On receipt of the order passed by Empowered Officer or Appellate Authority, as the case may be, the Managing Director of the Corporation shall issue a certificate in the Form C stating the amount to be recoverable as land revenue, by the Collector of the district in which the person from whom the amount is due resides or carries on business or owns any property.(2)The certificate issued by the Managing Director in sub-rule (1) shall be final and conclusive and shall not be called in question before any authority or court.
Form A[See Rule 3(1)]Application for Recovery Certificate
(1)Name of beneficiary:
(2)Full address:
(3)Father's name in full:
(4)Name of guarantors:
(5)Full address of guarantors:
(6)Name of scheme:
(7)Purpose of scheme (Business/Education/Profession):
(8)Details of loan:

1. Loan amount:

2. Cheque number:

3. Cheque date:

(9)Loan Account number:(10)Total amount recoverable on the date of application.(11)Details of recoverable amountA. Principal Amount:B. Interest:C. Penal Interest:D. Others:Total:DeclarationI/We hereby declare that the fact stated about are as per the loan documents and records are true.Date: / /Place:Signature of the applicantNameManaging Director Gujarat Backward Classes Development CorporationForm B[See Rule 4(2)]Form of Appeal(1)Name of appellant:(2)Full address:(3)Father's name in full:(4)Name of guarantors:(5)Full address of guarantors:(6)Name of scheme:(7)Purpose of scheme (Business/Education/Profession):(8)Details of loana. Loan amount:b. Cheque number:c. Cheque date:(9)Loan Account number:(10)Number and date of order of Empowered Officer against which appeal is preferred:(11)Ground of appeal:(12)In case appeal preferred after thirty days of order the reasons for the delay.(13)Any additional information the appellant desires to provide.Date: / /Place:Signature of the Appellant NameForm C[See Rule 5(1)]Recovery Certificate(1)Name of beneficiary:(2)Full address:(3)Father's name in full:(4)Name of scheme:(5)Purpose of scheme (Business/Education/Profession):(6)Loan Account number:(7)Total amount recoverable:(8)Details of recoverable amount:A. Principal Amount:B. Interest:C. Penal Interest:D. Others:Total:This to certify that total amount stated above is recoverable from Shri _____ Empowered Officer's / Appellate Authority order No. _____ Dated _____

Date: // Managing Director

Place Gujarat Backward Classes Development Corporation, Gandhinagar.

To, Collector _____ District. Kindly make necessary arrangement to recover the amount under the provisions of the Bombay Land Revenue Code, 1879. Managing Director Gujarat Backward Classes Development Corporation, Gandhinagar.