

The Punjab Refugees Rehabilitation (Loans and Grants) Rules, 1948

HARYANA

India

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Rule

THE-PUNJAB-REFUGEES-REHABILITATION-LOANS-AND-GRANTS-R of 1948

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1.

(a)These rules shall be called the Punjab Refugees Rehabilitation (Loans and Grants) Rules, 1948.(b)These rules shall come into force at once.

2.

No application for loan or grant by an individual, group and Co- operative Society shall be entertained unless made in one of the forms given in Appendix 'A', Appendix 'A/1', Appendix 'A/2' and Appendix 'A/3', respectively of these rules.

3.

Every application for loan or grant shall be presented to the Deputy Commissioner, the Registrar or any other officer authorised to act in this behalf by the applicant either in person or through a recognised agent, or sent by post under a registered cover with acknowledgement due receipt :Provided that Financial Commissioner, Rehabilitation, may entertain direct either personally or through post all applications on form as given at Appendix 'A/3'.

4.

Applications submitted by post shall not be entertained unless the affidavit annexed therewith has been duly attested by a magistrate or any other authority competent to attest the same.

5.

The bond to be executed by the applicant under section 6 of the Act shall be in form given at Appendix 'B' to these rules and the surety bond shall be in the form at Appendix 'C'.

6.

Authority conferred on a representative of Co-operative Society, a firm or a company for the purpose of sub-section (3) of Section 6 shall in the case of a firm be in written signed by all the adult members of the firm and in the case of Co-operative Society and a company, be in the form of a resolution duly passed by the Co-operative Society or Company, as the case may be.

7.

The bond executed by a duly authorised representative of a firm, Co-operative Society, or a Company under sub-section (3) of Section 6 shall be in the form given at Appendix 'D' to these rules. In the case of grant of loan to a group, the bond in form Appendix 'D'1', shall be signed by all the members of the group.

8.

The bond executed by a grantee under section 7 of the Act shall be in the form given at Appendix 'E' of these rules.

9.

All orders passed, notices given and directions made by the Controlling Authority under Sections 9, 10 and 12 of the Act shall be in writing signed by the Controlling Authority and communicated to the party or parties concerned either through personal delivery or by post.

10.

(a) The notice declaring a loan to be immediately recoverable under Section 10 of the Act shall be in the form given in Appendix 'F' of these rules. (b) Notice declaring the grant to be treated as a loan under Section 10 of the Act shall be in the form given in Appendix 'G' to these rules.

11.

The appeal made under Section 11 of the Act shall be in the form of a written memorandum accompanied by a true copy of the notice under Section 10 and presented by the appellant or his recognised agent either in person or through post in a registered cover with acknowledgement due receipt.

12.

Notice to the borrower or grantee calling upon him to pay the sum due under Section 12 of the Act shall be for a period of 30 days and the forms of notices to the borrower and the grantee shall be in the forms given at Appendix 'H' and 'J' respectively.

13.

An application or memorandum of appeal under Section 11 shall be stamped with court fee of Rupee 1. Appendix 'A' Form of Application for Loan/grant (1) Name of the applicant. (2) Father's/Husband's name. (3) Previous address and occupation. (4) Present Address. (5) The place where the applicant now intends to carry on his business or profession. (6) Has the applicant been registered as a refugee? If so, registered number and the name of the office where registered. (7) The amount of loan/grant desired. (8) Purpose for which loan/grant desired. (9) The manner in which loan/grant (if subsequently declared to be loan) is proposed to be repaid. (10) Has the applicant already received loan/grant from the Government? If so, the amount thereof. (11) Has the applicant already applied to the Government for a loan or a grant? If so, where and with what results. (12) (In case of application for grant only) - Name, particulars and signatures of two persons who identify the applicant as a refugee. Affidavit I _____, son/daughter/wife of _____, caste _____, resident of _____, Tehsil _____, District _____, solemnly declare that I am a bona fide refugee from West Punjab and particulars given above are true and correct to the best of my knowledge and behalf. I further solemnly declare that I shall notify all changes in my address to the Deputy Commissioner and shall not shift my place of business or occupation from the district without the prior permission of the Deputy Commissioner obtained in writing. Attested (Sd.) _____ Applicant. Appendix 'A/1' Form of Application for loan by Group (1) Particulars of persons constituting the applicant "group"

| Name | Father's Name | Previous address and occupation in Pakistan | Present address |
|------|---------------|---------------------------------------------|-----------------|
|------|---------------|---------------------------------------------|-----------------|

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2. The place where the "group" now intends to carry on business, industry or profession.

3. Are all the persons constituting group "refugees" ? If they were registered as refugees, please quote the registered numbers and the names of the offices where registered.

(4)The amount of loan desired.(5)Purpose for which loan is desired.(6)The manner in which loan is proposed to be repaid.(7)Has the group or any person constituting the group already received any loan/grant from the Government ? If so, the amount and the details thereof.(8)Has the group or any person constituting the group already applied to the Government for a loan or grant ? If so, where and with what results.(9)What the terms of partnership between persons constituting the group ?Affidavit in the following form to be filled by each member of the group and to be attested by a Magistrate/Oath Commissioner in each caseI _____,

son/daughter/wife of _____, caste _____ resident of _____, Tehsil _____, District _____, solemnly

declare that I am a bona fide refugee from Western Pakistan and particulars given above are true and correct to the best of my knowledge and belief.Attested.(Sd.) _____Appendix 'A/2'Form of Application for Loan by Co-operative Society

| Name | Father's Name | Previous address and occupation in Pakistan | Present address |
|------|---------------|---------------------------------------------|-----------------|
|------|---------------|---------------------------------------------|-----------------|

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- 10.

(2)The place where the "Co-operative Society" now intends to carry on business, industry or profession.(3)Are all the persons constituting Co-operative Society "refugees" ? If they were registered as refugees, please quote the registered numbers and the names of the offices where registered.(4)The amount of loan desired.(5)Purpose for which loan is desired.(6)The manner in which loan is proposed to be repaid.(7)Has the Co-operative Society or any person constituting the co- operative society already received any loan/grant from the Government ? If so, the amount and the details thereof.(8)Has the Co-operative Society or any person constituting the co- operative society already applied to Government for a loan or grant ? If so, where and with what results.(9)Has society been registered under Co-operative Societies Act ? If so, where.(10)What is the maximum credit limit of the society.Affidavit in the following form to be filled by the

Secretary/President of the Co-operative Society duly authorised in this behalf by a Resolution of the Society, a true copy of which should be attached with the application I _____, son/daughter/wife of _____, caste _____ resident of _____, Tehsil _____, District _____, Secretary/President of the _____ registered _____ on _____ solemnly declare that I and all the other members of the said Co-operative Society are refugees from Western Pakistan and particulars given above are true and correct to the best of my knowledge and belief. Attested. (Sd.) _____ A-For Individuals. Issued to _____ Rehabilitation Finance Administration Application for the loan Note. The application is to be submitted in triplicate. All names should be given in full not in initials. To The Chief Administrator, Rehabilitation Finance Administration, Theatre Communication Building, Connaught Place, New Delhi. Dear Sir, I beg to apply for a loan of Rs. _____ (Rupees _____ only).

2. The required particulars are given below :-

General (1) Name of the applicant and of his father and sub-caste. (2) Age of the applicant. (3) Whether the applicant belongs to a joint Hindu Family; if so, the name of the Karta of the family. Before Displacement (4) Full permanent address of the applicant (5) (a) Nature of his business/industry. (b) Year in which the business/industry was started. (6) The name or style under which the business/industry was carried on and full postal address thereof. (7) Amount of capital invested in the business/industry. (8) Name(s) and address of the Bank(s) with which the applicant was dealing. (9) Whether the applicant was the sole proprietor of that business/industry or whether there were other partners. In the latter case, the name and full address of each partner. (10) Total income from the business/industry in each of the years 1944, 1945 and 1946. (11) Particulars of other sources of income, if any, and the approximate annual income therefrom in each of the years 1944, 1945 and 1946. (12) Income tax paid by the applicant for 1944-45, 1946-46, 1946-47 and whether applicant is in a position to produce receipts or some other satisfactory proof of these payments. (13) Sales tax paid by the applicant in each of the years 1944, 1945 and 1946 and whether applicant is in a position to produce receipts or some other satisfactory proof of these payments. (14) Full particulars of any debts incurred in Pakistan which the applicant has still to pay giving name and present address of creditor, amount and security, if any, given therefor. After Displacement (15) Date on which applicant left Pakistan to settle in India. (16) Name of the place, district and the Province or State where the applicant has settled, or where he proposes to settle. (17) Place, date and number of the Registration Certificate which the applicant has obtained as a displaced person. Note. - If the applicant is registered as a displaced person in more than one place, particulars all of the Registration Certificates should be given. (18) Full present address of the applicant. (19) Applicant's present income and the sources from which it is derived. (20) Brief particulars of the property movable and immovable left or lost in Pakistan for which applicant has submitted a claim. (21) Applicant's present financial position :- (a) Value of immovable property in India. (b) Value of movable property. In India with a bank or in a locker, In Pakistan with a bank or in a locker (i) Insurance policies (Surrender value). (ii) Government securities. (iii) Savings certificates. (iv) Company shares. (v) Gold and silver bullion and ornaments. (vi) Cash. (c) Brief particulars and value of movable property still lying in Pakistan with a bank or in a locker. (d) Debts

excluding those shown against item 14 which the applicant has to pay in India (name of creditor, amount due and security given).Loans(22)Nature of the business/industry for which the loan is required.(23)Whether this business industry has already been started or has yet to be started in the former case.(a)date on which it was started.(b)its full postal address.(c)why it has now become necessary to apply for this loan.(24)The name under which business/industry is being/will be carried on.(25)If business, whether applicant has secured or will be able to secure suitable premises for the purpose; if so, the address thereof.If industry, whether applicant has secured or will be able to secure suitable premises (if so, the address thereof), raw materials, workmen and the necessary machinery, tools and implements.If not, the extent to which the applicant wishes the administration to assist him in this respect.(26)(a)Total amount required for his business/industry.(b)The amount that the applicant has himself invested/will himself be able to invest in the business/industry.(27)Balance amount asked for from the Administration is required for, -(a)Working Capital.(b)Fixed Capital.(28)The number of annual instalments in which the applicant proposes to repay the loan.Note. - All loans are repayable within a maximum period of 10 years.(29)Whether applicant is prepared to receive the loan in two or more instalments at the discretion of the administration.(30)Whether applicant understands that if a loan is granted the Administration shall have a first charge on his business/industry and all the assets created from the loan.(31)Particulars of any security besides (30) above, the applicant is in a position to offer.(32)Whether the applicant is in a position put up two persons as guarantors for the loan; if so, the names and full address stating whether or not they are displaced persons.(33)Approximate total number of labourers, workmen, artisans, clerks, managers, etc., likely to be employed by the applicant for his business, industry and whether applicant is prepared to undertake that a percentage of this personnel will be displaced persons.(34)Whether the applicant or any member of his family has previously applied for a loan to the Administration or to the Central Government or any Provincial or State Government under any of the schemes for assistance to displaced persons; if so, the address of the Authority to which the application was made, the amount asked for, the purpose for which it was required and the result of the application.(35)Whether the applicant is prepared to undertake that in the event of a loan being granted by the Administration neither he nor any of his dependents will ask for any further financial assistance from the Administration or from the Central Government or any of the Provincial or State Governments.(36)Whether in the event of loan being sanctioned the applicant is willing to furnish, if required, two copies of his photograph (passport size) for identification purposes.(37)Whether applicant has experience of, or special qualifications for the business/industry for which this loan is required.Miscellaneous(38)Names of the dependent members of the applicant :- Name, relationship and age. Family : wife, sons, daughters with their age, unmarried sisters, dependent parents and brothers, with their age, and relationship to the applicant.(39)Whether the applicant has been able to secure residential accommodation if so, whether he can produce a rent receipt therefor, if not, his present housing arrangements and length of time for which they will continue.(40)Any matter which the applicant specially wishes to mention.Yours faithfully,Signature, or if illiterate, thumb-impression of the applicant.Address _____ Place _____

_____ Date _____ Declaration (I)By the applicantI
 _____ s/o _____ and a displaced person, now resident at
 _____, District _____, in the Province/State of
 _____, do hereby solemnly affirm and declare that the information given in this

application is correct and that I have not concealed or withheld any material fact. The amount asked for by me as loan is the absolute minimum required for any business/industry. Place

Date _____ Signature or thumb-impression of the applicant
Declaration (II) (By a respectable person or a banker who knows the applicant, or by an association of displaced persons if applicant is a member thereof) I/We _____ declare that the applicant is known to me/a member of our association and to the best of my/our knowledge and belief the applicant is a reliable and respectable person and prior to his displacement was carrying on business/industry :-

at Signature

Place Designation

Date Address

Appendix 'B' Personal Bond by a Borrower Whereas a loan of Rs. _____ has been sanctioned to me by _____ (*here specify the sanctioning authority or controlling authority) under the provisions of the East Punjab Refugees Rehabilitation (Loans and Grants) Act, 1948, and whereas I am required to execute a bond in respect thereof _____ I _____ s/o _____,

caste _____, resident of place _____, Village _____ District _____, hereby agree and bind myself and my successors-in-interest as under :- (1) That I shall apply the money lent to me to the purpose or purposes for which the loan has been sanctioned and to no other purpose. (2) That I shall fulfil the conditions on which the loan has been sanctioned. (3) That I shall maintain a regular and complete account of all income received and expenses incurred in connection with the purpose for which the loan has been given. (4) That I shall submit six-monthly statement of account of the income received and expenses incurred in connection with the purpose for which the loan has been granted. (5) That I shall pay to the East Punjab Government the said principal amount of loan along with the interest at the rate of _____ per cent per annum in the following instalments. (6) That in case of default of any payment at the due date or in the event of the loan being declared to be immediately recoverable by the controlling authority I shall pay the full amount of principal with interest due thereon up to date in a lump sum. (7) That I shall not change my place of business or profession as recorded in my application for loan, except with the prior permission of the Controlling Authority. Date _____ day of

_____ Signature Witness _____ Address

Appendix 'C' Surety Bond Whereas a loan of Rs. _____ has been granted to _____ s/o _____, caste _____ resident of _____ place _____, village _____, district _____ by the Controlling Authority under the

provisions of East Punjab Refugees Rehabilitation (Loans and Grants) Act, 1948, and whereas the said borrower has executed a bond in favour of the Punjab Government, we/I stand surety for the said borrower and bind ourselves/myself and our/my successor-in-interest as under :- That in case of the borrower making default in payment of the said loan or a part thereof or interest thereon as agreed upon by him or in fulfilling any of the conditions on which the loan has been granted to him, we/I shall be liable jointly and severally with the borrower for the payment of the full amount with interest due from the borrower to the Punjab Government. Date this _____ day of

_____, 19____, Signature _____ Witness _____
 _____ Address _____ Appendix 'D' Bond by the representative
 of a Co-operative Society/Firm or Company Whereas Company/Firm/Co-operative Society
 _____ has been granted a loan of Rs. _____ by the Punjab
 Government under the provisions of the East Punjab Refugees Rehabilitation (Loans and Grants)
 Act, 1948, and whereas the said Company/Firm/Co-operative Society is required to execute a bond
 in lieu thereof and whereas I _____, son of _____, caste
 _____, resident of _____, place _____, village
 _____, district _____, have been duly authorised by
 Company/Firm/Co-operative Society as their representative to execute the said bond on their
 behalf, I hereby agree as under:-(1) That Company/Firm/Co-operative Society shall apply the money
 lent to them to the purposes for which the loan has been sanctioned and to no other purpose. (2) That
 Company/Firm/Co-operative Society shall fulfil all the conditions on which the loan has been
 sanctioned. (3) That Company/Firm/Co-operative Society shall maintain a regular and complete
 account of all income received and expenses incurred in connection with the purpose for which the
 loan has been given. (4) That Company/Firm/Co-operative Society shall submit six monthly
 statements of accounts of the income received and expenses incurred in connection with the
 purpose for which the loan has been granted. + (5) That Company/Firm/Co-operative Society shall
 pay to the East Punjab Government the said principal amount of loan along with the interest at the
 rate of _____ per cent per annum in following instalments. (6) That
 Company/Firm/Co-operative Society shall not change its place of business or profession as recorded
 in the application for loan, except with the prior permission of Controlling authority. (7) That in case
 of default of any payment at the due date or in the event of the loan being declared to be
 immediately recoverable by the Controlling Authority the Company/Firm/Co-operative Society shall
 pay the full amount of principal with interest due thereon up to date in lump sum. Dated this
 _____ day of _____ 19____ Signature for and on behalf of
 proprietor/partner Witness _____ Address _____ Appendix
 'D/I' Bond by the Group Whereas group consisting of _____ has been granted a
 loan of Rs. _____ by the _____ (Name of sanctioning authority) under
 the provisions of the East Punjab Refugees Rehabilitation (Loans and Grants) Act, 1948, and
 whereas the said group is required to execute a bond in respect thereof,
 we (1) _____, son of _____ (2) _____, son of
 _____ (3) _____, son of _____ (4)
 _____ son of _____, caste _____, resident of
 _____ place _____, village _____, district
 _____, bind ourselves and our successors-in-interest as under :-(1) That group shall
 apply the money lent to them to the purpose or purposes for which the loan has been sanctioned and
 to no other purpose. (2) That group shall fulfil all the conditions on which the Loan has been
 sanctioned. (3) That group shall maintain a regular and complete account of all income received and
 expenses incurred in connection with the purpose for which the loan has been given. (4) That group
 shall submit six-monthly statements of accounts of the income received and expenses incurred in
 connection with the purpose for which the loan has been granted. (5) That group shall pay to the East
 Punjab Government the said principal amount of loan along with the interest at the rate of
 _____ per cent per annum in the following instalments :-(6) That group shall not

change its place of business or profession as recorded in the application for loan, excepting with the prior permission of Controlling Authority.(7)That we the undersigned members of the group shall be liable jointly and severally for the repayment of the loan on terms mentioned in clause 5 above.That in case of default of any payment at the due date or in the event of the loan being declared to be immediately recoverable by the Controlling Authority, group and every member jointly and severally shall pay the full amount of principal with interest due thereon up to date in a lump sum.Dated this _____ day of _____ 19_____.Witness _____Address _____Signatures _____

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- 5.
- 6.
- 7.

Appendix 'E'Whereas the grant of Rs. _____ has been made to me by the Punjab Government under the provisions of the East Punjab Refugees Rehabilitation (Loans and Grants), Act, 1948, and whereas I am required to execute a bond in lieu thereof, I hereby agree and bind myself and my successors-in-interest as under :-(1)That I shall apply the money to the purposes for which it has been granted.(2)That I shall fulfil all the conditions on which the grant has been made.(3)That if the amount of grant is not used for such purpose or if there is any breach of such conditions the amount of the grant shall be repaid as if it were a loan made under section 5 of the said Act.(4)That in the event of the said grant being declared recoverable as loan under the provisions of the said Act, I shall repay the full amount together with interest due thereon to the East Punjab Government.(5)That I shall maintain accounts of income received and expenses incurred in connection with the purpose for which the grant has been made.(6)That whenever required I shall submit a statement of accounts of all income received and expenses incurred in connection with the purpose for which the grant has been made.Dated this _____ day of _____ 19_____.Witness _____Address _____Signature_____

Appendix 'F'Notice to the BorrowersWhereas I am satisfied that the money (Rs. _____) lent to you by the Punjab Government, vide your bond dated _____ is not being wholly applied to the purpose or purposes for which it was lent or/and that the conditions on which it was lent are not fulfilled, it is, therefore, hereby declared under section 10 of the East Punjab Refugees (Loans and Grants) Act, 1948, that the said loan is immediately recoverable from you in full.Dated this _____ day of _____

19SignatureDesignationAppendix 'G'Notice to the GranteeWhereas I am satisfied that the money (Rs. _____) granted to you by the Punjab Government, vide your bond dated _____, is not being wholly applied to the purpose or purposes for which it was granted or/and that the conditions on which it was granted are not being fulfilled, it is, therefore, hereby declared that the grants shall be treated as a loan under section 10 of the East Punjab Refugees Rehabilitation (Loans and Grants) Act, 1948.Dated this _____ day of _____ 19SignatureDesignationAppendix 'H'Notice to the BorrowerWhereas a sum of Rs. _____ was granted to you by way of loan, vide your bond dated _____, by the Punjab Government and whereas the said loan or a part thereof or instalment or interest thereon has fallen due and not been paid on or before the due dateorWhereas the said loan has been declared immediately repayable you are hereby served with a notice to pay the sum of Rs. _____ due from you within 30 days from the date of this notice.Dated this _____ day of _____ 19SignatureDesignation(Controlling Authority)Appendix 'J'Notice to the GranteesWhereas a sum of Rs. _____ was advanced to you as grant by the Punjab Government, vide your bond dated _____, and whereas the said grant has been declared that it should be granted as a loan under section 10 of the East Punjab Refugees Rehabilitation (Loans and Grants) Act, 1948, you are hereby called upon to pay the sum of Rs. _____ thus due from you with 30 days from the date of this notice.Dated the _____ day of _____ 19SignatureDesignation(Controlling Authority)