

Land Improvement Loans Rules, 1910

PUNJAB

India

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Rule LAND-IMPROVEMENT-LOANS-RULES-1910 of 1910

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1. Officers who may grant loans.

- [Within the limits of funds allowed to them for the purposes, the following officers are empowered to grant loans :-] [Rule 1 substituted by Punjab Government Notification No. 14307-CP/55/3781, dated 31.7.1956.]

	Rs.
(i) Tahsildar, Assistant and Extra Assistant Commissioner, upto	1000
(ii) Project Executive Officer/Assistant Project Officer holding Independent charge of a Project and Block Development Officers in relation to the implementation of community Project/National Extension Service Programme in the State up to	3000
(iii) Collectors up to	5000
(iv) Commissioners up to	10000
(v) Development Commissioner in relation to Community Project/National Extension Service Schemes up to	50000
(vi) Financial Commissioner	50000

Officers subordinate to the Collector will exercise these powers only when permitted to do so by the Collector. No such permission will be required by Project Executive Officers, Block Development Officers and Assistant Project Officers to exercise their powers. The limits apply to the amounts which may be granted in any individual case. Commissioner may, in very special circumstances, on the recommendation of the Collector invest selected Naib-tehsildars with the powers of a tehsildar, as regards the granting of loans.

2.

[(i) Interest shall be charged at the rate notified by the State Government from time to time.] [Substituted by Punjab Government Notification No. 4643-A-53/2641, dated 22.7.1953.](ii)[Simple interest at enhanced rate] [Substituted for the words 'Penal interest' by GSR No. 149, dated 5.6.1964.] will not be charged on instalments which have been suspended by order of competent authority, but in other cases will ordinarily be charged at [the rate of one per cent per annum above the normal rate of interest] [Substituted by Punjab Government Notification No. GSR 307/C.A. 19183/Sections 10/Amd.(3)/65, dated 15.12.1965.] [on the Principal overdue] [Substituted by Punjab Government Notification No. 13731-TL/58/4673, dated 23.7.1958.], when the delay exceeds [one month] [Substituted for the word 'fifteen days' by Government Notification No. 434-TL/57/5257, dated 25.9.1957.]. Compound interest will in no case be charged, and the Collector may remit or reduce the [simple interest at enhanced rate] [Substituted for the words 'Penal interest' by GSR No. 149, dated 5.6.1964.] when he is satisfied that the failure is due to inability to pay or that the levy of such interest would be productive of hardship.

3. Security.

(a)When the value of the applicant's interest in the land to be improved is sufficient to cover the loan, no collateral security need be required.(b)When a loan is made to the members of a village community, who bind themselves jointly and severally as provided in section 9 of the Act, the personal security of the applicants may be accepted. It is not necessary that all the members of the community should combine; loans may be made to any suitable group of persons who agree to be jointly and severally bound.(c)In all cases not covered by clause (a) or clause (b) of this rule collateral security, either real or personal, should be required, but movable property should rarely be accepted as such security.

4.

The borrower should be required to sign on the order of payment an agreement in a form prescribed and should be given a copy of this agreement.

5. Dates of payments of instalments.

- All works for which advances are made by instalments should be inspected and reported on before each instalment subsequent to the first is paid. In the case of all such works no instalment subsequent to the first should be paid until a competent officer is satisfied that the loan is being properly applied.

6. Inspection of works.

- All works for which advances are made by instalments should be inspected and reported on before each instalment subsequent to the first is paid. In the case of all such works no instalment

subsequent to the first should be paid until a competent officer is satisfied that the loan is being properly applied.

7. [Suspension.] [Substituted by GSR No. 211, Dated 21.8.1965.]

(1) Instalments may be suspended on proof of failure of crops or other exceptional calamity. (2) In areas under fluctuating assessment, the Collector of the district may order such suspension up to a limit of Rs. 5,000 for a single tehsil, or a total of Rs. 10,000 for the whole district in any one harvest provided that the amount involved at a time in any one case shall not exceed Rs. 1,000. (3) In areas under fixed assessment, the same limits as aforesaid shall apply, except that in those cases in which suspensions of taccavi follow suspension of land revenue, the Collector may exercise unlimited powers of suspension. (4) Proposal for suspensions in excess of the limits specified in sub- rules (2) and (3) shall be submitted by the Collector of the district to the Commissioner of the division who shall have unlimited powers of suspension as in the case of land revenue. (5) Notwithstanding anything contained in sub-rules (2), (3) and (4), the Government shall have unlimited powers to grant suspension. (6) All suspensions of taccavi whenever granted shall be reported without delay through the Commissioner of the division for the information of the Financial Commissioner.

8. [Remission.] [Substituted vide GSR No. 86/CA19/1883/S10/Amd./9.9.1988]

- When any portion of a loan under these rules is found to be irrecoverable, or when from any special cause it appears that the loan ought not to be recovered, a special report shall be made to the Collector who has the power to grant remission of an amount of loan not exceeding one thousand rupees in any one case. If the amount proposed for remission exceeds one thousand rupees the case shall be forwarded to the Commissioner of the Division who has the power to grant remission of an amount of loan not exceeding five thousand rupees in any one case and for the grant of remission of an amount of loan exceeding five thousand rupees, the case shall be forwarded by the Commissioner to the Financial Commissioner who has the power to grant remission without limit.