

Chhattisgarh Protection of Depositors Interest Rules, 2015

CHHATTISGARH

India

Chhattisgarh Protection of Depositors Interest Rules, 2015

Rule

CHHATTISGARH-PROTECTION-OF-DEPOSITORS-INTEREST-RULES-2015 of 2015

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Chhattisgarh Protection of Depositors Interest Rules, 2015Published vide Notification No. F 1-35/2015/Estt./4, dated 18th September, 2015Last Updated 18th October, 2019Notification No. F 1-35/2015/Estt./Four dated the 18th September, 2015. - In exercise of the powers conferred by Section 17 of the Chhattisgarh Protection of Depositors Interest Act, 2005 (No. 24 of 2015), the State Government, hereby, makes the following rules for protection of depositors interest in the State of Chhattisgarh, namely :-

1. Short title and commencement.

(1)These rule may be called the Chhattisgarh Protection of Depositors Interest Rules, 2015.(2)They shall come into force from the date of the its publication in the Official Gazette.

2. Definitions.

(1)In these rules, unless the context otherwise requires,-(a)"Act" means the Chhattisgarh Protection of Depositors Interest Act, 2005 (No. 24 of 2015);(b)"Collector" means a person appointed as such under the provisions of the Chhattisgarh Land Revenue Code, 1959 (No. 20 of 1959);(c)"Revenue Officer" means an officer defined as such in the Chhattisgarh Land Revenue Code, 1959 (No. 20 of 1959);(d)"Schedule" means the Schedule appended to these rules;(e)"Section" means a Section of the Act.(2)Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the said Act.

3. Manner of intimation of business by financial establishment.

(1) Every financial establishment shall intimate the particulars of its business under Section 6 in Form-I of the Schedule. (2) The Competent Authority shall enter the details of intimations received in a register maintained in Form-II of the Schedule.

4. Record of complaints.

- The Competent Authority shall maintain a record of every complaint received under the Act and shall enter the related detail in a register maintained in Form-III of the Schedule.

5. Procedure on receipt of complaint.

(1) On receipt of a complaint from depositors or otherwise, the Competent Authority may initiate such inquiry as he may deem necessary to satisfy himself as to whether or not any financial establishment has fraudulently defaulted : Provided that in relation to such inquiry, the Competent Authority may communicate a copy of the complaint to the financial establishment, and in case the financial establishment satisfies the Competent Authority that it has repaid such deposit, interest, bonus, profit or dues in any other form or rendered such services in respect of which the complaint was made, the Competent Authority may permit the complainant to withdraw the complaint.

6. Procedure for attachment and sale of property.

(1) The Competent Authority shall keep in custody all money or other property attached, and shall arrange for the safekeeping of any records, books of account, papers and documents found on the premises of attached property. (2) If the Special Court passes an order making an ad-interim order of attachment issued under Section 7 absolute or issues any direction under the provisions of the Act, the Competent Authority, or any Revenue Officer sub-ordinate to the Collector of the district concerned whom the Competent Authority may authorize in this behalf, shall dispose of the property attached by sale as provided under Order XXI of the Code of Civil Procedure, 1908 (No. 5 of 1908). (3) The Competent Authority shall maintain a record of all the income received and expenditure incurred in relation to the attachment, management and disposal of money or other property attached, and shall furnish the same to the Special Court as required.

Schedule

Form-I [See rule 3 (1)] Intimation of Details of Business To, The Competent Authority notified under the Chhattisgarh Protection of Interest of Depositors Act, 2005, (District), Chhattisgarh. Sir, I, (name and designation in financial establishment), hereby intimate the following details of business of the financial establishment mentioned below :-

1. (a) Name of the financial establishment:

(b)Registered head office (address, phone number and email address):(c)Form of incorporation (company, partnership firm, limited liability partnership, proprietary concern, trust, other firm (please specify), registered society, co-operative society, etc.), name and address of the authority registering the incorporation, and details of the certificate of registration (number and date):(d)Details of the financial establishment's promoters, directors, partners (in case the financial establishment is a partnership firm or a limited liability partnership), members, managers and other persons or employees responsible for the management or conduct of the business or affairs of the financial establishment:-

S. No.	Description (promoter/director/partner/member/manager/other person or employee responsible for the management or conduct of the business or affairs of the financial establishment)
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(1)	(2)	(3)
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Occupation	Address	Phone number	E-mail ID	PAN number	Aadhar card number
(4)	(5)	(6)	(7)	(8)	(9)

(e)Areas in which business is already being carried on at the commencement of the Chhattisgarh Protection of Depositors Interest Act, 2005 :(f)Areas in the jurisdiction of the addressed Competent Authority in which business is proposed to be commenced :(g)Persons, including agents, authorised to receive deposits on behalf of the financial establishment:-

S. No.	Name	Whether employee or agent	Area of operation	Occupation
(1)	(2)	(3)	(4)	(5)

Address	Phone number	E-mail ID	PAN number	Aadhar card number
(6)	(7)	(8)	(9)	(10)

2. Details (number and date) of registration of the financial establishment with statutory financial sector regulators [Reserve Bank of India/Securities and Exchange Board of India/Registrar of Companies/Other National or State regulator (specify)]:

3. Details (number and date) of registration of the financial establishment with tax authorities (under Income Tax Act, Central Excise Act, Central Sales Tax and Value Added Tax Act):

4. Details (number and date) of registration of the financial establishment under the Chhattisgarh Shops and Establishments Act, 1958 :

5. (a) Details of the scheme or arrangement or any other manner in which deposits are being received (in case business is already being carried on at the commencement of the Chhattisgarh Protection of Depositors Interest Act, 2005 or will be received (in case business is proposed to be commenced):

(b) Details in support of the financial establishment's capability and capacity to return deposits :

6. Complete details of movable and immovable property of the financial establishment:-

Type of property	Identifying details of property	Value/amount (in Rupees)
Immovable property	District:	
Tehsil/Taluka :		
Revenue village :		
Survey/khasra No. or Nazul sheet and plot number:		
Area:		
Deposits in bank accounts and other deposits	Name of each bank, its branch and every account number:	
Name and full description of other deposit-holding bodies, with identifying details of the deposits :		
Financial instruments	Shares (specify each company and respective distinctive number):	
Bonds (specify each company and respective distinctive number):		
Other (specify full identifying details):		
Others	Identifying details :	

7. Details of bankers and persons authorised to operate the bank accounts of the financial establishment:-

S. No. Bank Branch Account number

(1) (2) (3) (4)

Name of person authorised	Aadhar card number	PAN number	Address
(5)	(6)	(7)	(8)

Phone	E-mail ID	Name of banker	Designation of banker	IFSC code of branch
(9)	(10)	(11)	(12)	(13)

8. In case of financial establishment carrying on business at the commencement of the Chhattisgarh Protection of Depositors Interest Act, 2005 :-

(a)Date of commencement of business :(b)Total amount of deposits taken from depositors
:(c)Number of depositors :(d)Details of deposits not repaid on maturity and interest, bonus, profit or dues in any other form defaulted upon :Copies (attested by the signatory of this intimation) of the following documents are attached:-(i)Aadhar card and PAN card of each person referred to in serial number 1(d), 1(g) and 7 of this intimation form.(ii)Registration certificate and other related documents referred to in serial number 1 (c), 2, 3 and 4 of this intimation form.(iii)Documents in support of title to immovable property referred to in serial number 6 of this intimation form(iv)Bank passbook or bank statement (not more than three months old) of bank accounts referred to in serial number 6 of this intimation form.

Date : Signature of authorized person

Place: Name:

Designation :

Form-II[See rule 3 (2)]Register of Intimations Received

S. No.	Date of receipt of intimation	Name of financial establishment	Address of the financial establishment	Date of commencement of business	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

Form-III[See rule 4]Register of Complaints

S. No.	Name and address of complainant	Date of receipt of complaint	Name of financial establishment complained against
(1)	(2)	(3)	(4)

Brief description of complaint	Date of disposal	Particulars of disposal	Remarks
(5)	(6)	(7)	(8)