

The Madhya Bharat Agricultural Debtor's Relief Rules, 1958

MADHYA BHARAT

India

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Rule

THE-MADHYA-BHARAT-AGRICULTURAL-DEBTOR-S-RELIEF-RULES-of 1958

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1. Short title.

- These rules may be called the The Madhya Bharat Agricultural Debtor's Relief Rules, 1958.

2. Definitions.

- In these Rules, unless there is anything repugnant in the subject or context-(i)"Act" means the Madhya Bharat Agricultural Debtors' Relief Act, 1956.(ii)"Code" means the Code of Civil Procedure Code, 1908;(iii)"Form" means a form appended to these Rules;(v)"Government" means the Government of Madhya Pradesh,(v)"Section" means a section of the Act;(vi)Words and expressions used in the Act and not defined in these Rules shall have the meanings assigned to them in the Act.

3. For regulating the procedure before the Board.

- The Chairman shall preside at every meeting of the Board and shall regulate the course of business.

4.

(i)The Board shall ordinarily hold its sittings at such place as may be appointed from time to time as its headquarters by the Chairman, but may sit at any other place within its jurisdiction for the

convenient disposal of its business.(ii)The Board shall hold its sittings at such times as may be fixed from time to time by the Chairman and may adjourn its proceedings for any period if such adjournment is in its opinion necessary for the proper conduct of the proceedings.

5. The form of application under sub-Section (2) of Section 4 and the manner of signing etc.

- An application under sub-Section (2) of Section 4 shall be made in Form No. 1 appended to these Rules, and shall be presented at any time during the office hours by the applicant in person or by an agent authorised in writing to the Chairman or any member of The Board. The applicant shall also state in the application if he had applied previously for conciliation of his debts to any other Board, and if so, shall state the decision of the Board.

6.

Any member of the Board may examine the applicant in order to verify the accuracy of the particulars contained in the application and may call for additional information to complete the application.

7.

If it is decided to proceed with the application the other under sub-Section (1) of Section 9 shall be recorded on an order sheet in the form prescribed for revenue cases. This form shall contain a note of every interlocutory order made in the case and shall show the date and place of proceedings at every hearing.

8.

Every application shall be made into a revenue case and dealt with according to the instructions in the Madhya Bharat Board of Revenue Circular No. 11/52.

9.

An abstract of the statement made by each witness and the statements of the parties shall be filed with the record.

10.

All notices, summons and other processes issued by the Board shall be signed by the Chairman and shall be dated and sealed with the seal of the Board.

11. Form of notice under sub-section (2) of Section 9.

- Every notice under sub-section (2) of Section 9 of the Act shall be in Form No. 2 appended of these rules.

12.

Every notice under sub-Section (1) of Section 11 of the Act shall be in Form No. 2 appended to these Rules.

13.

A copy of the notice under sub-section (1) of Section 11 shall be served on each known creditor. A copy shall also be pasted on the district and tahsil office notice boards and the notice board of the board's office. A copy shall also be pasted in conspicuous place in the village where the debtor ordinarily resides and all the villages within the area for which the Board has been appointed where any holding or land of the debtor or any part thereof situate.

14.

No notice shall be deemed void on account of any error in the name or designation of any person referred to therein unless such error has produced substantial injustice.

15. Process fee to be charged for issue of process under the Act.

- Process fee shall be paid by the applicant for the issue of notices and summonses in accordance with the scales prescribed in the Schedule II of Madhya Bharat Land Revenue and Tenancy Act, 1950, and shall be paid in Court fee stamps.

16.

The statement which a debtor or creditor is required to submit under Section 11 shall be in Form No. 4 or 5 as the case may be.

17. The powers to the Board to summon parties or witnesses under Section 17.

- The power of a Board to summon a party or witness and grant of expenses to witnesses shall be the same as provided in the Code read with Section 45 of the Act.

18.

The forms of the summons, the mode of serving and the mode of compliance shall be prescribed in the Code. Process fee shall be recovered for the issue of summonses and payment of diet-money and traveling expenses shall be made to witnesses in accordance with provisions laid down in the Code.

19. Place and manner of registering agreement.

- Every agreement arrived at under sub-section (1) of Section 18 shall be registered at the Sub-Registrar's office for the sub-district within which the ordinary headquarters of the Board is situate.

20. Manner of determining the value of the debtor's property under sub-section (1) of Section 29.

- (i) For the purposes of sub-section (1) of Section 29, the value of the debtor's movable and immovable property shall be determined by the Board in the manner specified in this rule. (ii) Immovable property- The Board shall determine the value of any immovable property by taking into consideration, - (a) the bona fide sales and leases of the property in question during the preceding twelve years, (b) the bona fide sales and leases of similar properties in the neighbourhood during the preceding twelve years; and (c) the valuation of the property in question made by the Land Valuation Officers appointed by Government in this behalf. (iii) Movable property- The Board shall determine the value of the movable property by taking into consideration the valuation of the property in question made by the Land Valuation Officers appointed by Government in this behalf, and also by questioning the parties concerned and by making such other enquiries as it may think fit. (iv) The Land Valuation Officers appointed by Government may be appointed by the Board of Commissioners under Order XXVI in Schedule I to the Code of Civil Procedure, 1908 for the purpose of making an enquiry for determination of the value of debtor's movable and immovable property.

21. Manner of determining the market value of debtor's property under sub-section (3) of Section 29.

- For the purpose of sub-section (3) of Section 29, the market value of the debtor's lands, which under any law for the time being in force, are not transferable or alienable except with the previous sanction of the Collector or the State Government, shall be determined by the Board by taking into consideration - (a) the bona fide sales and leases of the lands in question during the preceding 12 years, if any, and (b) the bona fide sales and leases of similar lands in the neighbourhood during the preceding 12 years; and after ascertaining the valuation of the lands in question from the Tahsildars of the Tahsil.

22. Form of Award.

- The award under Section 32 shall be in Form No. 6.

23. Application under clause (i) of sub-Section (3) of Section 37.

- Application under clause (i) of sub-section (3) of Section 37 shall be in Form No. 7.

24. Procedure when a debtor's property is ordered to be sold under Section 39 or sub-section (2) of Section 52.

- (i) Every sale of property whether movable or immovable, under Section 39 or sub-Section (2) of Section 52 shall be held by an officer of the Board in accordance with the procedure laid down for the sale of such property under the Code.(ii)A certificate in Form No. 8 shall be issued to the purchaser of the property by the officer conducting the sale under this rule.

25. Recovery of Court Fees.

- The Court Fess payable under subsection (2) of Section 43 shall be recovered as arrears of land revenue.

26. Charges to be made by the Board for anything done under this Act.

- (i) The cost of registering an award under sub-section (2) of Sections 32 and 33 shall be paid by the creditor the amount payable by each creditor being proportionate to the compounded debt stated to be payable to him under the agreement and on default shall be recoverable from him as an arrear of land revenue;(ii)The process fee on every application for the recovery of an amount under sub-section (1) of Section 60 shall be paid in advance by the creditor in accordance with item 22 of Schedule II of the Madhya Bharat Land Revenue and Tenancy Act, 1950.(iii)The stamp duty on an agreement drawn up under sub-section (2) of Section 18 shall be payable by the debtor in non-judicial stamps.(iv)Copying fees for copies of records maintained by the Board and in its custody shall be charged at the rate of six annas for every 180 English words or 270 Regional language words, four figures being counted as one word.(v)Every application for a copy shall be accompanied by an advance sufficient to cover the estimated cost of the copy applied for.(vi)The Chairman may then get the copy prepared on plain paper certified as a true copy over his signature and deliver it to the applicant or his duly authorised agent and also refund him the balance, if any, left out of the advance after meeting the copying charges.(vii)The fees chargeable under Rule 26 (iv) and (v) shall be paid in cash to the Chairman who shall forthwith give a receipt over his signature to the applicant in the prescribed form and credit the amount into the treasury.

27. Form of Register of Debt Settlement Awards and Index.

- The register of debt Settlement Awards in the form of a file book with numbered butts in Form 9 (nine) and index relating thereto in Form 9-A and 9-B shall be kept in all registration offices.

28.

Particulars to be included in the memorandum to be sent by the Board to the Sub-Registrar or Registrar, as the case may be, under Section 47 shall be in Form 9-C and shall be endorsed on the certified copy of the award sent for registration under the said Section 47.

29. Condition subject to which authorised person may advance loan.

- The authority under sub-section (1) of Section 59 to any person to advance loans to debtors who are parties to any proceedings under the Act or in respect of whose debts an adjustment has been made under the Act (hereinafter referred to in this rule as the authorised person) shall be in Form No. 10. It shall not be granted except on the following conditions-(i) Purposes for which advances may be made and maximum limits of such advances-The authorised person shall not advance loans to any debtor except for the purpose of seasonal finance not exceeding the maximum limits which the Collector has fixed in this behalf under Rule 30. The authorised person shall not knowingly advance any loan to any debtor who had previously taken a loan from another authorised person unless such previous loan has been fully paid or unless he (the authorised person) agrees to discharge the liability of the debtor in respect of such previous loan. (ii) Authorised person not to withhold permission for sale of crops or produce. The authorised person shall not unreasonably withhold permission required by a debtor under sub-section (1) of Section 58 for sale of the standing crops or the produce of his land and if the authorised person himself buys the crops or produce he shall pay the debtor the price thereof at all the market rate. (iii) Duty of authorised person to maintain and furnish accounts-(a) The authorised person shall keep regularly in Form No. 11 a separate account of each loan advanced to a debtor : Provided that where the loans to any debtor are advanced on a current account, the authorised person may keep one account of all the transactions relating to such loans. Explanation-For the purposes of this clause the term 'current account' includes, in the case of banks, accounts relating to overdrafts, cash credits and promissory note accounts, which are mentioned in the form of current accounts. (b) The authorised person shall, within one month after the expiry of every year supply every debtor a full and correct statement of accounts signed by him or his agent. Such statement of accounts shall show all transactions entered into during the year and the balance outstanding on account of each loan on such date as Government may prescribe either generally or for a particular area and shall contain particulars as in Form 11 : Provided that where the loans are advanced on a current account, it shall be sufficient to furnish particulars of the balance due on the whole of such account on the prescribed date. In the case of banks, the requirement of this clause shall be deemed to have been complied with if a full statement of accounts has been supplied to the debtor by means of a pass-book or otherwise from time to time throughout the year and intimation is given within one month after the expiry of the year of the amount of the balance remaining due on the prescribed date. (c) The statement of accounts shall be furnished to the debtors by registered post and an acknowledgement obtained

thereof at" the cost of the authorised person.(iv)Rate and calculation of interest-(a)The authorised person shall not charge or recover interest at a rate higher than the rate notified by Government under Rule 31.(b)If any payment is made in respect of a loan, interest on such loan shall be calculated upto the date of such payment; and if the loan or any part of it is outstanding, interest shall thereafter be calculated only on the balance of the principal still outstanding.(v)Inspection of accounts to be allowed-The authorised person, unless specially exempted by Government, shall allow such officer as may be appointed in this behalf by Government to inspect the account maintained by him.(vi)Penalty for non-compliance with conditions mentioned in this rule-Government may in its discretion cancel the authority granted by it for breach of any of the foregoing conditions or for any other reason.

30. Collector of fix maximum limits up to which advance may be made.

- The Collector shall by notification in the Official Gazette fix maximum limits up to which persons authorised under Section 59 may advance loans to debtors who are parties to any proceedings under the Act or in respect of whose debts settlement has been made under the Act for seasonal finance once a year. Such limits shall come into force from the first day of the month next to that in which the notification is published by the Collector and shall remain in force till the end of the month in which a fresh notification is published by the Collector in the next year. Such limits may be fixed separately for different crops and for different areas, having regard to the seasons and productivity of crops.

31. Government of fix maximum rates of interest.

- Government shall from time to time by notification in the Official Gazette fix a rate of interest not exceeding six per cent per annum, at which loans for seasonal finance may be advanced by persons authorised under Section 59.

32. Records to be kept and the returns to be made by a Board.

- (i) The following registers and books shall be maintained by a Board-

1. Register of cases.

2. Process of Register.

3. Deit-money Register.

4. Inspection Book.

5. Copying Register.

6. Receipt Book.

7. Register for contingent expenditure.

(ii) The registers and books shall be maintained in the forms prescribed for revenue case work. (iii) The registers and books specified in this rule and the proceedings in each case shall, on completion, be transferred to the district office. In the district office the proceedings in each case shall be preserved as under, and the registers and books for six years : (a) Cases dismissed under Section 9 (i)-2 years, (b) Cases rejected under Section 12 (2). Cases which have resulted in agreement-3 years, after payment of the last instalment of 3 years after the issue of the certificate by the Collector under Section 6 (2) of the Act. (iv) The Board may also, with the approval of the Collector use such other revenue form and registers as may be considered necessary by it. (v) The Board shall submit every second month through the Collector and the Commissioner to the State Government a progress return in Form No. 13 appended to these rules. (vi) The Board shall also submit by the 15th October every year through the Collector and Commissioner to the State Government a report on the following particulars- (a) Progress of work and result achieved. (b) Difficulties experienced in working the Act, and amendment, if any, that appear necessary to the Act or the Rules. (vii) All the records maintained by the Board and not sent for safe custody to the district officer shall be open to inspection at such time, in such place, and in the presence of such official, as the Chairman of the Board may direct, free of charge by the parties, and on payment by others of a fee of 12 anna per hour or part thereof to be prepaid in court-fee stamps. (viii) The inspection of record sent to the district office for safe custody shall be governed by Circular No. 5/62 of Board of Revenue.

33.

(i) The Chairman or a member of the Board, if a non-official, shall be entitled to draw travelling allowance for any journey performed by him in connection with his duties as such Chairman or member at the rates admissible, and subject to the conditions applicable, to a Government servant of the second grade under the Supplementary Rules issued by the State Government. Subject to the same conditions, he shall be entitled to daily allowance at the Rate of Rs. 3/8/- per day : Provided that if the Chairman or a member of the Board is a member of Parliament or a member of the State Legislature he shall be entitled to draw travelling and halting allowances for a journey performed by him in connection with the performance of his duties as such Chairman or member at the rates admissible to a member of the State Legislature under the appropriate rules of the State Government. (ii) The Chairman or a member of a Board if an official, shall be entitled to draw for any journey travelling allowance and halting allowance to which he would be entitled by virtue of his official position. (iii) The Collector shall be the Controlling Officer empowered to countersign the Travelling allowance bills of the Chairman and members of a Board.

34. The purposes for which loans may be granted under sub-Section (1) of Section 59.

- The purposes, advancing of loans for which shall be "seasonal, finance" as per details given below-(a)Raising of crops during the ploughing season or later, ploughing, sowing, harrowing, weeding, harvesting, purchasing of seeds and manure.(b)Labour charges.(c)Transport charges(d)Purchase of fodder.(e)Intercultivating.(f)Threshing.(g)Hire or purchase of plough, cattle and agricultural implements.(h)Maintenance of the debtor and his dependents and of his cattle and repairs to agricultural implements.(i)Current expenses of running agricultural machinery, e.g., pumps or engines including fuel charges.

35. Procedure to be followed generally.

- In respect of any matter for which no provision is made in the Act or these Rules, the procedure laid down in the Code shall, so far as may be, followed by the Board in the proceedings before it. Form No. 1 Form of application referred to in Rule 5 To, The Debt Relief Board, District/Tahsil..... Under Section 4 of the Madhya Bharat Agricultural Debtor' Relief Act, I..... son of caste..... resident of..... tahsil, beg to apply for settlement of my debts claims between my creditors/debtors and myself. The particulars required by Section 8 of the Act are as follows-

Name, residence and full address of creditor or debtor	Amount of debt or claim owned	Particulars of debt claims including date of commencement, rate of interest, whether secured, and, if so, how, etc.
(1)	(2)	(3)
Total	Rs.P.	

2. I hereby declare that I am unable to pay the debts owned by me as shown above.

3. The amount and particulars of my property including claims due to me are as follows-

Property(1)Immovable-

Specification of property	Village	Total area or extent of share and home farm	Rent or Revenue payable	Value	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
(a) Malik Makbuza holdings.(b) Tenancy.....(c)Houses.....					

(2) Movable, including cash Description, value (3) Claims
 due..... Name and address of debtor..... Amount
 due..... Note. 1. Paragraphs 2 and 3 will be scored out in case of creditors.

2. The applicant should give full particulars in column (1) whether (a) he alone owes the debt, conciliation of which is sought; or (b) whether he with others owes the debts, as co-executants of the bond or as surety; and (c) in the case of decretal debts the names of other judgement-debtors.

4. I had/have not yet applied to any other Debt Relief Board for the relief of my debts and the Board decided that.....

Signature of applicant Verified that the contents of paragraph of the application are true upon the personal knowledge of, and those in paragraph upon information received and believed to be true by the undersigned. Declared at..... on..... Signature of applicant. From No. 2 Form of notice to creditors of debtor under sub-section (2) of Section 9 of the Madhya Bharat Agricultural Debtor's Relief Act, 1956 (Rule 11 of the Madhya Bharat Agricultural Debtor's Relief Act, 1958) Notice is hereby given to that an application under Section 4 of the aforesaid Act has been submitted for the settlement of the debt of and will be examined by the Board, together with any objections that may be preferred by any person interested at..... at..... o'clock on the day of.... 20..... Signature of Chairman, Debt Relief Board, District Seal of the Board Form No. 3 Form of notice under sub-Section (1) of Section 11 of the Madhya Bharat Agricultural Debtor's Relief Act, 1956 (Rule 12 of the Madhya Bharat Agricultural Debtor's Relief Rules, 1958) Whereas son of caste of tahsil Debtor (s)/Creditor (s) has submitted an application under Section 4 of the aforesaid Act for the settlement of the debts of..... son of..... caste..... of..... tahsil..... and whereas the Board is of the opinion that it is desirable to attempt to effect a settlement between the said debtor and his creditor, you as one of the creditor/all the creditors to whom the said debtor is indebted are hereby required to submit to the Board a statement in writing on or before the..... at the Board's office..... of all debts owed to you/them by the said debtor. The Board will scrutinize this statement at 11 a.m. on..... day of 20..... when you should appear before the Board.

2. You/all the creditors are also required to furnish, along with such statement, full particulars of all such debt (s) and shall at the same time produce all documents, including entries in books of account on which you/they rely to support your/their claims, together with a true copy of every such document.

Attention is invited to Section 11 (2) of the said Act under which every debt of which a statement is not submitted to the Board in compliance with the notice shall be deemed for all purposes and all occasions to have been duly discharged. Attention is also invited to Section 13 (3) of the said Act which prescribes that if any document which is in the possession or under the control of the creditor

is not produced by him as required by sub-section (1) of Section 13, the document shall not be admissible in evidence against the debtor in any suit brought by the creditor or by any person claiming under him.

3. The settlement in this case will take place atat 11 a.m. on the..... day of..... 20..... when you should appear before the Board.

Datedthe day of20....Signature of Chairman Debt Relief Board, District. Form No. 4(See Rule 16) Statement required to be submitted by a debtor under Section 11 of the Madhya Bharat Agricultural Debtor's Relief Act, 1956

1. Amount and particulars to be submitted by a debtor under Section 11 of the Madhya Bharat Agricultural Debtor's Relief Act, 1956.

Serial No. of debt	Full name, residence and full address of the creditor	Amount of debt	
Principal	Interest	Total claimed by the creditor	Amount if any, admitted by the creditor
(1)	(2)	(3)	
History of each debt with particulars of the original principal and rate of interest chargeable	Particulars of Debts for which the debtor is liable as surety, joint-surety or joint-debtor	Remarks	
Amount of debt	Nature of liability	Full names and addresses of the sureties, joint-sureties or joint-debtors	
(4)	(5)	(6)	

2. Particulars of debtor's property including claims due to the debtor-

(a) Immovable property (including property situate outside the State of M.B.)-

Specification of the property with boundaries where necessary	Name of the village with survey Nos.	Nature of tenure	Annual income derived
Survey Nos.	Area in acres	Govt. Assessment	
(1)	(2)	(3)	(4)
Market value	Details of any attachment, mortgage, lien or charge subsisting thereon	Full names and addresses of the	Remarks

				co-sharer of thedeptor, if any	
(5)	(6)			(7)	(8)
Lands.....Houses.....(b)Movable property (including cash)-					
Serial No.	Description	Estimated value	Place where it may be found	Details of any pledge, charge or lien thereon	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

(c) Claims due-

Full name and address of the person from whom the claim is due	Amount due	Particulars of the claims including date of commencement, rate of interest, whether secured and, if so, how, etc.	Nature of the document evidencing the claims and in whose possession	Remarks
Principal	Interest			
(1)	(2)	(3)	(4)	(5)

Particulars of property of the nature mentioned in paragraph 2 transferred or encumbered-

Description of property	Nature of transfer of encumbrance	To whom transferred or mortgaged, etc. (full name and address)	Date of transfer or encumbrance	Remarks
(1)	(2)	(3)	(4)	(5)

Signature of Debtor. Note-If the principal of any of the debts shown in column 3 of the statement in paragraph 1 includes any arrears of interest which have been added when a bond has been renewed or any additional loan has been taken, the following information (so far as it is known to the debtor) should be given separately with references in the margin, to the serial numbers of the debts in column 3-The date when the debt first incurred, the amount of the original principal, the approximate dates and the conditions on which the bond was renewed or the additional loan taken, the rate of interest stipulated in each bond, the amount paid from time to time and any other facts. Form No. 5 (See Rule 16) Statement required to be submitted by a creditor under Section 11 of the Madhya Bharat Agricultural Debtor's Relief Act, 1956

1. Particulars of creditor's claim-

Name and full address of the debtor	Amount of debt claimed	Whether secured and if so, how	History of each debt with particulars of the original principal and rate of interest charged	Names and addresses of other creditors so far as they are known to the applicant	Remarks
Principal	Interest				
(1)	(2)	(3)	(4)	(5)	(6)

2. Particulars of debtor's property including property situate outside the State of Madhya Pradesh so far as they are known to the creditor.

(a) Immovable Property-

Description	Area or extent of share	Assessment Value	Particulars of any mortgage, lien or charge	Remarks
(1)	(2)	(3)	(4)	(5)

(b) Movable Property-

Description	Value	Applicant's charge on the same, if any	Remarks
(1)	(2)	(3)	(4)

(c) Particulars of other income, if any. Signature of the Creditor. Note - If the principal of any of the debts shown in column 2 of the statement in paragraph 1 includes any arrears of interest which have been added when a bond has been renewed or any additional loan has been taken, the following information (so far as it is known to the creditor) should be given separately with reference in the margin to the debts in column 2 - The date when the debt was incurred, the amount of the original principal, the approximate dates and the conditions on which the bond was renewed or, the additional loan taken, the rate of interest stipulated in each bond, the amount paid from time to time and other facts. Form No. 6 (See Rule 22) Award under Section 32 of the Madhya Bharat Agricultural Debtor's Relief Act, 1956 Proceeding No..... Year..... Order of the Board On an application made under the Madhya Bharat Agricultural Debtor's Relief Act, 1956, for settlement of debts of the debtor described in Schedule 'A' this Board has determined under the provision of the said Act, the amounts payable to the creditors described in the said Schedule 'A'.

2. It is hereby ordered under Section 32 of the said Act as under-

(1) The debtor shall pay to each creditor concerned the amount mentioned against his name in column 4 of Schedule 'A', in the manner laid down in column 7 thereof. (2) The properties of the debtor mentioned in Schedule 'B' and bearing Serial Nos..... are hereby charged for the payment of the creditors described in Schedule 'A' (bearing Serial Nos.....) (3) Properties bearing Serial Nos..... in Schedule 'B' now in possession of the creditor shall be delivered to the debtor, subject to the conditions which are recorded at the end. (4) Properties bearing Serial Nos..... in Schedule 'B' shall be liable to be sold for the recovery of debts of creditors Nos..... respectively in Schedule 'A'. The conditions subject to which these shall be sold are recorded at the end. (5) Simple interest at the rate mentioned in column 4 of Schedule 'A' shall be allowed on the amount mentioned in that column; cost mentioned in column 5 and court-fees mentioned in column 6 of the said Schedule 'A' shall be paid by the parties mentioned in these columns. (6) The debts shall be paid in priority to the creditors according to the order in which their names are arranged in column 2 of the Schedule 'A'.

3. It is hereby declared by the Board under Section 28 (2) of the Act that alienations of properties bearing Nos..... in Schedule 'B' and encumbrances on properties bearing Nos..... in the said Schedule 'B' shall be void.

Seal Chairman of Board Dated the.....20.....Note - In Schedule 'A' in column 8, the amounts in respect of which a charge is kept should be entered separately according to each serial number of the properties described in Schedule 'B'. In Schedule 'B' properties on which charges are kept, properties, the possession of which is ordered to be delivered, properties, which are liable to be sold and properties, the alienation of and encumbrances on which, are declared to be void should be described in different serial numbers.

'A'

Name and address of the debtor	Names and addresses of the creditors, arranged in order of priority mentioned in Section 32 (2) (iii) including those creditors who are mentioned in Section 73	Amount of debt secured or unsecured originally claimed due by the creditor	Amount of debt as scaled down by the Board under Section 31 or otherwise made payable under the provisions of the Act	Costs
Serial No. (1)	Name and address of the creditor (2)	(3)	(4)	(5)
Court fees	Amount in column 4 how payable	Amount in respect of which a charge is kept		Remarks
In how many instalment	Amount of each instalment	When payable Year Month		Total in words and figure
(6)	(7)	(8)		(9)

'B'

(a) Immovable properties-

S. No.	Specification of properties with boundaries	Names of villages with Survey Nos., etc.	Nature of debtor's right	Details of any encumbrance, lien mortgage or charge	Remarks
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Sur. No. and Pot. Hissa.	wherenecessary (Lands or houses)	Assessment	already subsisting thereon	
(1)	(2)	(3)	(4)	(5)

(b) Movable properties-

S. No.	Description	Place where it may be found	Details of any mortgage, charge or lien already subsisting thereon	Remarks
(1)	(2)	(3)	(4)	(5)

Form No. 7(See Rule 23)To, The Chairman, Debt Relief Board District..... Under clause (i) of sub-section (3) of Section 37 of the Madhya Bharat Agricultural Debtor's Relief Act, 1956, I..... son of..... resident of..... tahsil hereby apply for execution of award No. dated..... passed by the Board as the debtor..... has made default in the payment of the instalment due to be paid in the month..... of year..... Dated the 20..... Signature of Creditor.

Form No. 8(See Rule 24)Form of Certificate of SaleThis is to certify thathas been declared the purchaser for Rs..... at a sale by public auction on the..... day of..... 20..... ofsale conducted by the in pursuance of Section 39 or sub-section(2)of Section 52 of the Madhya Bharat Agricultural Debtor's Relief Act, 1956. Officer conducting the sale.

Form No. 9(See Rule 27)

Space for binding	Serial No. of award	Space or butt for pasting page
(1)	(2)	(3)

Form No. 9-A(See Rule 27)

Name of Debtor	Place of residence	Name (s) of creditor (s)	Place (s) of residence	Situation of property	Date of award	Date of filing	Sl. No., Volume and Page
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Form No. 9-B

Amount or value of award or amount involved	Survey No. and sub-division No. and House No., if any	Area	Assessment or judication when given	Name of Debtor
(1)	(2)	(3)	(4)	(5)

Name of (s) of creditor (s)	Date of award	Date of filing	S. No., Volume and page	Remarks
(6)	(7)	(8)	(9)	(10)

Form No. 9-C(See Rule 28)Forwarded with compliments to the Sub-Registrar/Registrar of.....under Section 46 of the Madhya Bharat Agricultural Debtor's Relief Act, 1956.PlaceDatedChairman of the Board.Form No. 10(See Rule 29)Authority to advance loans to debtorIn exercise of the powers conferred by sub-Section (1) of Section 59 of the Madhya Bharat Agricultural Debtor's Relief Act, 1956 (33 of 1956), the Government of Madhya Pradesh in [hereby pleased to authorise] [Here insert the name and address of the individual joint-stock company or other association to be authorised.] (hereinafter referred to as the authorised person) to advance loans to debtors who are parties to any proceedings under the said Act or in respect of whose debts an adjustment has been made under the said Act.

2. This authority shall be in force in the following local areas-

3. The authority shall remain in force from to (both days inclusive).

4. This authority is granted subject to the following conditions; namely-

(i)Purposes for which advances may be made and maximum limits of such advances. The authorised person shall not advance loans to any debtor except for the purpose of seasonal finance not exceeding the maximum limits which the Collector has fixed in this behalf under Rule 30.The authorised person shall not knowingly advance any loan to any debtor who has previously taken a loan from another authorised person unless such previous loan has been fully paid or unless he (the authorised person) agrees to discharge the liability of the debtor in respect of such previous loan.(ii)Authorised person not to withhold permission for sale of crops or produce. The authorised person shall not unreasonably withhold permission required by a debtor under sub-Section (1) of Section 58 for sale of the standing crops or the produce of his land and if the authorised person himself buys the crops or produce he shall pay the debtor the price thereof at the market rate.(iii)Duty of authorised person to maintain and furnish accounts-(a)The authorised person shall keep regularly in Form No. 11 a separate account of each loan advanced to a debtor :Provided that where loans to any debtor and advanced on a current account, the authorised person may keep one account of all transactions relating to such loans.Explanation-For the purposes of this clause, the term "current account" includes, in the case of banks, accounts relating to overdrafts, cash credits and pronote accounts, which are maintained in the form of current accounts.(b)The authorised person shall within one month after the expiry of every year, supply every debtor a full and correct statement of accounts signed by him or his agent. Such statement of accounts shall show all transactions entered into during the year and the balance outstanding on account of each loan on such date as Government may prescribe either generally or for any particular area and shall contain particulars as in Form 12:Provided that where the loans are advanced on a current account, it shall be sufficient to furnish particulars of the balance due on the whole of such account on the prescribed date. In the case of banks, the requirements of this clause shall be deemed to have been complied with if a full statement of accounts has been supplied to the debtor by means of a pass book or otherwise from time to time throughout the year and intimation is given within one month after the expiry of the year of the amount of the balance remaining due on the prescribed date.(c)The statement of accounts shall be furnished to the debtor by registered post and an acknowledgment obtained thereof at the cost of the authorised person.(iv)Rate and calculation of interest-(a) The

authorised person shall not charge or recover interest at a rate higher than the rate notified by Government under Rule 31.(b)If any repayment is made in respect of a loan, interest on such loan shall be calculated up to the date of such repayment; and if the loan or any part of it is still outstanding, interest shall thereafter be calculated only on the balance of the principal still outstanding.(v)Inspection of accounts to be allowed-The authorised person, unless specially exempted by Government, shall allow such officer as may be appointed in this behalf by Government to inspect the accounts maintained by him.(vi)Penalty for non-compliance with conditions mentioned in this rule-Government may in its discretion cancel the authority granted by it for breach of any of the foregoing conditions for any other reason.Dated..... 20.....Form No. 11(See Rule 29 and Form No. 10)Loan Account of, son of.....residenceDate at which account is made up-

S. No.	Date of advancing loan	Principal or balance of principal if brought over from previous year	Rate of interest	Date of repayment	Payment credited towards	Remarks
Principal	Interest					
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Total Repayment towards the loan during the year.Balance, if any, at the end of the year.Form No. 12(See Rule 29, Form No. 10)Loan account ofson of.....residence.....for the year ending on.....Rate of interest.

S. No.	Date of loan	Principal amount of loan or balance of principal if brought over from previous year	Amount of interest, if any, brought forward	Payment credited during the year towards	Balance outstanding at the end of the year
Principal	Interest	Principal	Interest		
(1)	(2)	(3)	(4)	(5)	(6)

Total for all loans outstanding against the debtor.Dated the..... 20.....Signature of creditor or agent.Form No. 13Progress return for the month of.....20.....of the Debt Relief Boarddistrict(Rule 32 of the Madhya Bharat Agricultural Debtor's Relief Rules, 1957)

Case pending at the beginning of the months	Cases registered during the months		
Number	Amount involved	Number	Amount involved
(1)	(2)	(3)	(4)
	Rs.		Rs.

Cases disposed of during the months

Dismissed under Section 9(1)		Agreements executed under Section 18(1)					
Number	Amount involved	Number	Amount	Amount due to those who agree	Amount in agreement	Amount conciliated by transfer of land	Area of land transferred
(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	Rs.		Rs.	Rs.	Rs.	Rs.	
Cases dismissed under Sections 9(1) and 10(2)		Cases pending at the close of the months		Average number of instalments allowed in conciliated cases		Multiple of rent of revenue for such instalments	
Number	Amount	Number	Amount			Number of days on which the Board sat during the months	
(13)	(14)	(15)	(16)			(17)	(18) (19)
	Rs.		Rs.				