

The M.P. Adjustment and Liquidation of Industrial Workers' Debt Rules, 1936

MADHYA PRADESH

India

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Rule

THE-M-P-ADJUSTMENT-AND-LIQUIDATION-OF-INDUSTRIAL-WORKERS' DEBT RULES, 1936

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The M.P. Adjustment and Liquidation of Industrial Workers' Debt Rules, 1936 Published vide Notification No. 2606-21 -30-13, dated 26th October, 1936, C.P. & Berar Gazette, Part 3, dated 26-10-1936, p. 1498 In exercise of the powers conferred by sub-section (2) of Section 39 of the Central Provinces [now Madhya Pradesh] Adjustment and Liquidation of Industrial Workers' Debt Act, 1936 (Act V of 1936) read with Section 21 of the Central Provinces General Clauses Act, 1914 (Act 1 of 1914), the Governor in Council is pleased to make the following rules :

1.

These rules may be cited as The Madhya Pradesh Adjustment and Liquidation of Industrial Workers' Debt Rules, 1936.

2.

In these rules-(a)"the Act" means the Madhya Pradesh Adjustment and Liquidation of Industrial Workers' Debt Act, 1936 (Act V of 1936);(b)words and expressions defined in the Act shall be deemed to have the same meaning as in the Act.

3.

The notice of the order under sub-section (1) of Section 9 shall be served either by registered post or through a process-server.

4.

The Schedule of determined debts under Section 21 shall be prepared in Form A.

5.

The order of the Court under sub-section (1) of Section 26 shall be passed in Form B. Form A (See Rule 4)

Serial No.	Names of creditors	Amount of debt determined in respect of each creditor	Assets of the petitioner	Value of assets as estimated by Court	Average income of the petitioner
(1)	(2)	(3)	(4)	(5)	(6)
		Rs.		Rs.	Rs.

Form B (See Rule 5) Order under sub-section (1) of Section 26 of the Madhya Pradesh Adjustment and Liquidation of Industrial Workers' Debt Act, 1936 (No. V of 1936) In the Court of Mr..... Judge..... Case No..... of 20..... Applicant Versus..... Non-applicant(s) Order Dated, the 20... The proceeds of assets of the applicant amounting to Rs..... have been distributed to the creditor/creditors No..... as detailed in column (3) of the schedule hereto annexed as the creditor holds/creditors hold a mortgage (Charge or lien) on the assets. It is now hereby ordered that the surplus which amounts to Rs..... shall be paid to the creditor/creditors to the extent of the share assigned to him/them as shown in column (4) of the said Schedule in monthly instalments and on the dates mentioned in columns (5) and (6), respectively. The serial [order in which the names of creditors have been mentioned in the Schedule shall be deemed to be the order of priority for the purpose of making payments under this order.] [When there is more than one creditor, the name of creditor, whose debt has been adjusted in full should be written first and columns (4) to (7) shall be blank in his case. Then the order of priority for the purpose of distribution surplus shall be from the second creditor.]

Schedule

Serial No.	Name, Father's name etc. of the creditor	Amount paid in adjustment of debt	Share of surplus assigned to the creditor(s)	Amount of monthly instalment	Date on which the instalment should be paid	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Rs.		Rs.		

Given under my hand and seal of the Court this..... day of..... 20..... Seal Signature of the Judge Notifications (i) Notification No. 6309-XVI, dated 22-11-1975, Published in M.P. Gazette Extension, dated 22-11-1975 p 2635. - In exercise of the powers conferred by clause (viii) of Section 2 of the Madhya Pradesh Adjustment and Liquidation of Industrial Workers' Debt Act, 1936 (No. V of 1936), the State Government hereby

declares,-(i)the undertaking in the industry in which the provisions of the Madhya Pradesh Industrial Relations Act, 1960 (No. 27 of 1960) have been brought into force; and(ii)the industrial establishment to which the Industrial Disputes Act, 1947 (No. 14 of 1947) applies;as an industrial establishment.(ii)Notification No. 8673-8098-XVI, dated 30-10-1976, Published in M.P. Rajpatra, Part I, dated 17-12-76, p. 1729. - In exercise of the powers conferred by sub-section (3) of Section 1 of the Madhya Pradesh Adjustment and Liquidation of Industrial Workers Debt Act, 1936 (No. V of 1936), the State Government hereby directs that the said Act shall come into force with effect from the date of issue of the notification in the local areas comprised within the limits of all districts of the State other than the local areas comprised within the limits of the Jabalpur town in Jabalpur district and Burhanpur town in the East Nimar District.