

The U.P. Agricultural Credit Rules, 1975

UTTAR PRADESH

India

The U.P. Agricultural Credit Rules, 1975

Rule THE-U-P-AGRICULTURAL-CREDIT-RULES-1975 of 1975

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017.

Chapter I Preliminary

1. Short title and commencement : Section 25 (1).

(1)These rules may be called the Uttar Pradesh Agricultural Credit Rules, 1975.(2)They shall come into force at once.

2. Definitions : Section 25 (1).

- In these rules, unless the context otherwise requires-(a)'Act' means the Uttar Pradesh Agricultural Credit Act, 1975 ;(b)'Form' means a form appended to these rules ;(c)'Section' means section of the Act;(a)all other words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

Chapter II Creation of Charge and Mortgage

3. Declaration and its copies : Sections 6 (1) and 25.

(1)The declaration referred to in Section 6(1) shall ordinarily be prepared in quintuplicate. The original document shall be duly stamped but the copies shall be prepared on stout and durable papers.(2)The copies referred to in sub-rule (1) shall not be carbon copies but shall be neatly handwritten, printed or typewritten or be cyclostyled copies of typewritten matter on only one side of the paper.(3)Such copies shall further contain the following particulars, namely -(a)the number of stamps and their value ;(b)a copy of the endorsement made by the stamp vendor or the treasury on the back of such stamps ; and(c)the date of execution and the names and addresses of the witnesses.(4)Such copies shall be certified to be true under the seal and signature of a responsible employee of the bank who has been authorised to do so under Section 9 (1).(5)The original declaration shall be retained by the Bank and two copies thereof shall be sent to the Sub-Registrar concerned by registered post acknowledgment due for purpose of registration. Another copy of the declaration shall be sent to the Tahsildar as required by Rule 4, while the last copy shall be delivered to the agriculturist.

4. Noting of charge in Annual Registers : Section 9-A.

(1)Where copies of the document creating charge, or mortgage have been sent to the Sub-Registrar under Section 9 and such charge or mortgage relates to an agricultural land, another copy of such document shall be sent to the Tahsildar within whose territorial jurisdiction such land is situate.(2)On receiving the copy of the document referred to in sub-rule (1), the Tahsildar shall cause to be noted, in the Remarks Column of the Annual Register (Khatauni) for the Fasli year in which such document was executed the following particulars of the charge, variation or mortgage -(a)the amount of financial assistance ;(b)the name of the bank granting such assistance ;(c)the date of execution of the deed of charge, variation to mortgage ; and(d)the period during which the amount shall be repaid.(3)The official making the note shall put his dated signature below the note.(4)The Tahsildar shall thereafter return the copy to the bank after endorsing thereon the following words, namely -"Encumbrances noted(Signature)dated....."

5. Failure to send the document in time : Sections 9 and 25.

- Where the document creating charge, variation or mortgage is not sent to the Sub-Registrar within the period mentioned in sub-section (1) or sub-section (3) of Section 9, then such document may be registered by following the normal procedure laid down in the Registration Act, 1908.

6. Duty of the Sub-Registrar : Sections 9 and 25.

(1)After receiving the copies of document under sub-rule (5) of Rule 3, the Sub-Registrar shall check whether the document is duly stamped, and whether the document or its copies are free from defects. '(2)If the Sub-Registrar is of the opinion that the copies are in order, he shall make necessary endorsements on both the copies of the document. The Sub-Registrar shall then cause one copy of the document to be filed in Book No. 1 prescribed under Section 51 of the Registration Act,

1908 and shall return the other copy to the Bank in the registered envelope supplied for the purpose.(3)If the Sub-Registrar is of opinion that the copies are not in order, he shall follow the procedure specified in Section 9 (3).(4)Where the copy of the document is received back from the Sub-Registrar under Section 9 (3) on the ground that the document -(a)is not duly stamped, the bank shall get the deficiency made good by , annexing additional stamp paper to the original document and the additional stamp paper so annexed shall be cancelled by the bank so that it cannot be used again;(b)suffers from any defect arising out of an accidental slip or omission, the bank shall get the defects removed,and then, fresh copies of the document shall be prepared and sent to the Sub-Registrar in accordance with Rule 3 (5) within the time allowed by Section 9 (3).

7. Self-addressed envelope to be supplied by banks : Section 25.

- While sending the copies of the document to the Sub-Registrar under sub-rule (5) of Rule 3 or to the Tahsildar under sub-rule (1) of Rule 4, the Bank shall also supply to each of such officers, a self-addressed envelope bearing requisite postage stamps in order to enable them to return the copy by registered post.

8. Inspection by bank nominee : Sections 9 and 25.

- Where a copy of the document creating a charge, variation or mortgage has been sent to the Sub-Registrar under Section 9, a nominee of the Bank may inspect the relevant record of the Sub-Registrar concerned to ensure whether the said copy has been filed in accordance with the said section. No fee shall be charged if such inspection is made within one month from the date of sending the copy to the Sub-Registrar under Section 9 (1).

9. Procedure when the charged property is situate in several tehsils : Sections 9 and 25.

- Where the properties charged or mortgaged are situate within the local limits of jurisdiction of more than one Sub-Registrar or Tahsildar, the procedure prescribed by Rules 3 to 8 shall be followed in respect of each Sub-Registrars or Tahsildars.

10. Variation of declaration : Sections 6 (2) and 25.

- Where an agriculturist intends to vary a declaration in accordance with sub-section (2) of Section 6, he shall, as far as possible, follow the procedure laid down in Rules 3 to 9.

11. Certificate of discharge : Section 9-B.

(1)When the amount of any financial assistance secured by a charge or mortgage has been fully paid up, the agriculturist or his legal representatives may apply to the bank for issuing a Certificate of Discharge.(2)The Bank shall thereupon prepare Certificate of Discharge in Form A which shall be handed over to the agriculturist or his legal representatives along with the original declaration

referred to in Rule 3 (5).(3)Whenever the agriculturist or his legal representatives obtains a Certificate of Discharge from the bank, he may apply to the Tahsildar that the factum of discharge of the debt may be noted in the remarks column of the Annual Register (Khatauni) for the Fasli year in which such certificate was issued.

Chapter III

Distraint and Sale of Movables

12. Application for distraint and sale of the Movables : Sections 10-B and 25.

(1)Where any charge has been created on any movable property or the crop, or other produce in favour of a Bank in respect of any financial assistance granted to an agriculturist, and the whole or any part of the amount due in respect thereof remains unpaid, the Bank may apply to Tahsildar having jurisdiction, for distraint and sale of such property, crop or other produce.(2)Every application under sub-rule (1) shall be in Form B. The application shall be accompanied by sufficient number of copies thereof along with copies of notices in Form C for service on the agriculturist or his heirs or legal representatives, as the case may be.(3)A fee at the rate of ten per cent (or at such other rate as the State Government in the Revenue Department may from time to time fix in this behalf), on the amount of the claim shall be payable in respect of every such application. The amount of fee shall be deposited in Government Treasury under the Head "065 - Other Administrative Services - Other Services - (20)Other Miscellaneous - Receipt", and the Treasury Challan shall be attached to the application as evidence of payment of the prescribed fee.(4)An attested copy of the document creating the charge shall be filed along with the application referred to in sub-rule (1). But the Tahsildar may summon the original document as and when he considers it necessary.

13. Notice of demand : Sections 10-B and 26.

- On receipt of the application referred to an Rule 12 the Tahsildar shall cause to be noted thereon, the date of its presentation, and if he is satisfied that the application is in order, he shall cause to be served on the agriculturist or his heir or legal representative, a written notice of demand in Form C, calling upon him to pay the amount specified in the notice within a period of fifteen days from the date of service thereof or to show cause why the property charged be not distraint and sold.

14. Service of demand notice : Sections 10-B and 25.

- The notice referred to in Rule 13, shall be served by delivering a copy to the agriculturist or his heir or legal representative or to any adult male member of his family at his usual place of residence or to his authorised agent, or when such service cannot be so effected, by affixing a copy of the notice on some conspicuous part of his residence, or by registered post..

15. Destrainment of the property charged : Sections 10-B and 25.

- If the amount specified in the notice or any part thereof remains unpaid after the expiry of the time allowed therefor, or if no cause is shown, or where the cause shown is considered by the Tahsildar to be insufficient, the Tahsildar shall cause the property charged to be distrained.

16. Custody and preservation of the property distrained : Sections 10-B and 25.

- The Tahsildar shall make proper arrangement for the custody and preservation of the distrained property during the interval between distraint and actual sale thereof. The applicant or an officer of the Bank concerned shall if so required, undertake the custody and preservation of the property distrained.

17. Time of distraint : Sections 10-B and 25.

- The distraint shall not be made at any time after sunset and before sunrise.

18. Reaping and gathering of crops and produce : Sections 10-B and 25.

- Where the crops or ungathered produce of the land are distrained, the Tahsildar may cause them to be sold when fit for reaping or gathering, or at his option may cause them to be reaped or gathered in due season and stored in proper place until sold.

19. Power of Tahsildar to enter and break open the door : Sections 10-B and 25.

- It shall be lawful for the Tahsildar or any official authorised by him to force open any stable, cow house, granary godown, outhouse or other building, and he may also enter any dwelling-house in outer door of which may be open, and may break open the door of any room in such dwelling-house for the purpose of distraining the properties referred to in Rule 12 (1): Provided that it shall not be lawful for the Tahsildar or such official to break open or enter into any apartment in such dwelling-house appropriated for or the residence of women except after giving due notice for retirement or removal of such women.

20. Sale of the property distrained : Sections 10-B and 25.

(1) The Tahsildar may, subject to the provisions of Rule 22, sell or cause to be sold by public auction any property distrained under Rule 15 of such part thereof as may in his opinion be necessary to satisfy the demand together with expenses of the distraint and sale. (2) The Tahsildar shall at any time before the date of sale cause a proclamation of the date and place of the intended sale to be made by beat of drum in the village in which the agriculturist or his heir or legal representatives reside or the properties referred to in Rule 12 (1) are kept and in such other place or places as the

Tahsildar may consider necessary to give due publicity to the intended sale.(3)The Tahsildar may in his discretion adjourn the sale to a specified day recording the reasons for such adjournment. Where a sale is adjourned for longer period than fifteen days, a fresh proclamation under sub-rule (2) shall be made unless the agriculturist or his heir or legal representative consents to waive it.(4)The purchaser shall not be permitted to carry away any part of the property purchased until he has paid for it in full.

21. Utilisation of sale proceeds : Sections 10-B and 25.

(1)Where any crop, produce or other movable property is distrained and sold under this Chapter, the amount realised be utilised in the manner laid down in Rule 29.(2)The agriculturist or his heir or legal representative shall be given a receipt for the amount discharged from the sale proceeds.

22. Release of the property before sale : Sections 10-B and 25.

- Where, prior to the date fixed for sales, the agriculturist or his heirs or legal representatives or any person acting on his behalf or any person claiming an interest in the property distrained pays the full amount due, including interest, and other expenses incurred in the distraint and sale of the property charged the Tahsildar shall not proceed with the sale and shall release the property forthwith.

Chapter IV

Sale of Land or Interest therein

23. Application for sale of land or interest therein : Sections 11 and 25.

(1)Where any charge or mortgage has been created on any land or interest or on any other immovable property in favour of a bank in respect of any financial assistance granted to an agriculturist and the whole or any part of amount due in respect thereof remains unpaid, the bank may apply to the Prescribed Authority for the sale of such land, of interest therein or other immovable property.(2)Every application by a Bank under sub-rule (1) shall be in Form D. The application shall be accompanied by sufficient number of copies thereof along with copies of notices in Form E for service on the agriculturist or his heirs or legal representatives, as the case may be.(3)A fee at the rate specified in Rule 12(3) shall be payable on every application referred to in sub-rule (1). The amount of fee shall be deposited in Government Treasury of the State Bank of India under the Head mentioned in Rule 12(3) and the Treasury Challan shall be attached to the application as evidence of payment of the prescribed fee.(4)An attested copy of the document creating the charge of mortgage shall be filed along with application referred to in sub-rule (1). But the Prescribed Authority may summon the original as and when it is considered necessary.

24. Notice to the agriculturist : Sections 11 and 25.

(1) On receipt of the application referred to in Rule 23, the Prescribed Authority shall cause to be noted thereon, the date of its presentation, and if it is satisfied that the application is in order, a notice in Form E shall be served on the agriculturist, his heir or legal representatives, as the case may be, calling upon him to pay the amount specified in the notice within a period of twenty-one days or to show cause why a direction for the sale of the property charged or mortgaged be not issued. (2) The notice referred to in sub-rule (1) shall be served in the manner laid down in Rule 14.

25. Order for sale of the property : Sections 11 and 25.

(1) If the amount specified in the notice referred to in Rule 24 or any part thereof remains unpaid after the expiry of the time allowed therefor, or if no cause is shown; or where the cause shown is considered by the Prescribed Authority to be insufficient, the Prescribed Authority shall by order direct that the amount due to the bank be paid by sale of the property charged or mortgaged. (2) Every order under sub-rule (1) shall be in writing and shall contain the following particulars - (a) the reasons on which the decision is based; (b) a direction as to costs and interest, if any; (c) the number of cases, and the names and description of the parties; (d) the date when the order was signed and pronounced. (3) A copy of the order under sub-rule (1) shall be sent to the Civil Court having jurisdiction and, subject to the result of appeal, if any, shall be executed as a decree of such court.

Chapter V

Recovery of Dues as Arrears of Land Revenue

26.

[* * *] [Deleted by Notification No. IF-196/X - 77, dated February 18, 1978, published in U.P. Gazette, Extra., dated 28th February, 1978]

27. Certificate of recovery : Sections 11-A and 25.

- Every certificate referred to in sub-section (1) of Section 11-A shall be prepared in Form F and shall be sent to the Collector of the district in which the agriculturist or his heirs or legal representatives ordinarily reside or carry on the activities referred to in Section 2(a) or own properties.

28. Recovery as arrears of land revenue : Sections 11-A and 25.

- On receipt of the certificate in accordance with Rule 27, the Collector shall cause the same to be entered in a register maintained for the purpose and shall proceed to recover the amount specified in the certificate as arrears of land revenue.

29. Utilisation of the amount recovered : Sections 11-A and 25.

- The amount recovered under Rule 21 or Rule 28 shall be utilized in the following manner:(a)Firstly, for meeting the expenses of recovery which shall be charged at the rate of ten per cent (or at such other rate as the State Government in the Revenue Department may from time to time fix in this behalf) on the amount of the claim ;(b)Secondly, for payment of the Government dues or other prior charges, if any ;(c)Thirdly, for payment of the dues of the bank. ;(d)The balance, if any, shall be paid to the person from whom the recovery was made.

30. Remittance to Bank : Sections 11-A and 25.

- The account referred to in clause (c) of Rule 29 shall be remitted to the Bank as far as possible within one month from the date of recovery -(i)by money order, if it does not exceed rupees twenty-five; and(ii)by bank-draft or by postal order, if it exceeds rupees twenty-five.

Chapter VI

Procedure before Appellate Authority

31. Appeal : Sections 12 and 25.

(1)Every appeal under Section 12 shall be presented in the form of a memorandum setting forth concisely the grounds of objection to the order appealed against. A certificate copy or a typed attested copy of such order shall invariably be attached to the memorandum.(2)The memorandum of appeal shall be accompanied by sufficient number of copies thereof along with copies of notices in Form G for service on the respondents."(3)The provisions of Rule 23 (3) and Rule 24 shall mutatis mutandis apply to an appeal under Section 12 as they apply to an application under Section 11(1).

32. Hearing of appeal.: Sections 12 and 25.

(1)Where the appellate authority is of the opinion that the memorandum of appeal suffers from any defect it shall make a note to that effect and shall call upon the appellant to remove the same.(2)If the defects pointed out by the appellate authority are removed within the period specified therefor or within such extended period as the appellate authority may from time to time grant, the latter may admit the appeal for hearing.(3)If the appellant fails to remove the defects within the period specified in sub-rule (2), or if the appeal is beyond the limitation specified in Section 12(1), the appellate authority shall, subject to the provisions of Section 24, reject the appeal.(4)Where the appeal is admitted, the appellate authority shall fix a date for hearing and the notice of the date of hearing shall be served on the respondent in Form G. An intimation of the date shall also be sent to the appellant.

33. Order of the appellate authority : Sections 12 and 25.

(1) On the date fixed for the hearing of an appeal, the appellate authority shall go through the record and hear the parties to the dispute or their authorised agents and shall pass such order on the appeal as the appellate authority may deem fit. (2) The provisions of sub-rules (2) and (3) of Rule 25 shall mutatis mutandis apply to every order made under this rule.

34. Adjournment of hearing : Sections 12 and 25.

- The appellate authority may, in its discretion, adjourn to any other date the hearing of any appeal at any stage.

Chapter VII

Miscellaneous

35. Issue of summons : Sections 10-B, 11, 12 and 25.

(1) The Tahsildar, the Prescribed Authority or the appellate authority, as the case may be, may issue summons for the attendance of a witness, provided the party concerned deposits in advance such amount towards expenses as officer or authority concerned considers necessary for securing such attendance. (2) The summons shall require the person summoned, to appear before the said officer or authority at a stated time and place, and the summons so issued shall specify whether his attendance is required for the purpose of giving evidence or to produce any documents or for both. Any particular document the production of which is required for the purpose, shall be described in the summons with reasonable accuracy. (3) Any person may be required to produce a document, without being summoned to give evidence and such person shall produce the required document personally or may send it by registered post. (4) The summons may be served in the manner specified in Rule 14 or by any other mode specified in the Code of Civil Procedure, 1908.

36. Memorandum of oral evidence : Section 25.

- The Tahsildar, the Prescribed Authority or the Appellate Authority shall make a memorandum of any oral evidence admitted by him or it.

37. Ex parte orders : Section 25.

(1) In the case of absence of any party the case may be decided ex parte. (2) The Tahsildar, the Prescribed Authority or the Appellate Authority may on an application being made in that behalf, and for sufficient cause - (a) set aside an ex parte order, or (b) restore an application or appeal dismissed for default of appearance of the applicant, or the appellant as the case may be. (3) An application under sub-rule (2) shall be made within thirty days from the date of the ex parte order or from the date of dismissal of application or appeal and in the case of an ex parte order, where the

notice was not duly served on the applicant, within thirty days from the date of knowledge of such order.(4)Notwithstanding anything contained in sub-rule (3), no application referred to in sub-rule (2) shall be entertained -(a)in the case of any movable property, if such property has already been sold, and(b)in the case of any immovable property, if the sale has already been confirmed.

38. Certified copy : Section 25.

(1)Any person affected by an order passed by the Tahsildar, the prescribed authority or the appellate authority shall be entitled to be furnished with a certified copy thereof and any other connected document on application duly made in that behalf.(2)Every application for certified copy shall be accompanied by the requisite copying charges, The scale of charges shall be the same as laid down for the criminal courts subordinate to the High Court.

39. Return of documents : Section 25.

(1)Every document or record tendered by a party or any other person may, on application, be returned to such party or person after the disposal of appeal and where no appeal is filed, after the expiry of the period for appeal. No fees shall be charged for return of said documents or records.(2)The original deed of charge, the variation or mortgage in possession of the bank shall be returned to the agriculturist or his legal representatives after the bank's dues are discharged in full.

40. Processes how to be issued : Section 25.

- Every order, notice, summons or intimation issued by any officer or authority under the Act or these Rules shall be in writing and shall bear the signature of such officer or authority or such authority as may be authorised in this behalf, and shall be authenticated by the seal of such officer or authority.

41. Disposal of property by bank : Sections 12-A and 25.

(1)Where a bank acquires any land or any interest therein or any other immovable property under Section 12-A, it shall dispose it of by a registered sale-deed in favour of an agriculturist within a period of one year from the date of such acquisition.(2)A bank desirous of transferring the property referred to in sub-rule (1) after the expiry of the period referred to in the said sub-rule, shall have to obtain prior approval of the State Government, in the Revenue Department.(3)Every application for permission to transfer a property under sub-rule (2) shall be sent to the Secretary to the Government of Uttar Pradesh in the Revenue Department, Council House, Lucknow, and if no reply is received within six months from the date of receipt of such application by the Government the application for permission shall be deemed to have been granted.

42. Sub-Registrar's power to summon the original documents : Sections 9 and 25.

- Where the Sub-Registrar apprehends that the original document referred to in Section 9 is not duly stamped or that it is otherwise necessary to summon the original for purposes of perusal by him, he may by notice summon the original document from the bank and the bank shall be bound to comply with such notice.[43. (1) Notwithstanding anything contained in these Rules, if a bank has already paid requisite fee -(a)in accordance with Rule 12(3) in respect of a particular claim, it shall not again be required to pay any fee under Rule 23(3) in respect of the said claim ;(b)in accordance with Rule 23(3) in respect of a particular claim, it shall not again be required to pay any fee under Rule 12(3) in respect of the said claim ;(c)either under Rule 12(3) or Rule 23(3) in respect of any particular claim, then no deductions shall be made on account of the expenses of recovery under Rule 29(a) in respect of the said claim.(2)Where a bank claim that it is not liable to pay any fee under clause (a) or clause (b) of sub-rule (1) or that no deductions should be made under clause (c) of the said sub-rule, then it shall produce a certified or attested copy of the Treasury Challan as evidence of payment of such fee in earlier proceedings.] [Instituted by Notification No. IF-3007/10 - 150-75, dated September 15, 1975, published in U.P. Gazette, Extra., dated 15th September, 1975 (w.e.f. 15-9-1975)]Form A[See Rule 11(2)]THE.....BANK LTD.....BRANCH ;.....(Town/City)Certificate of dischargeCertified that the amount of financial assistance granted under the provisions of the U.P. Agricultural Credit Act, 1973, has been received back and the particulars of the said transaction are noted below :

1. Name and address of Agriculturist (borrower).....

2. Date of loan

3. Particulars of property charged or mortgaged

4. Payments :

(a)Amount of loan(b)Amount of interest(c)Total amount paid.....

5. Date of payment

SignatureDateSealForm B(See Rule 12)BEFORE THE

TAHSILDAR:.....(TAHSIL).....DISTRICT.....
.....".....APPLICANT

(BANK)versus.....OPPOSITE PARTY.Application under Section 10-B of the U.P. Agricultural Credit Act, 1973, for the distraint and sale of movable property, crop or other produce:

1. Name and address of the agriculturist borrower. (If the borrower is dead, the name of his heir or legal representative should also be stated)
.....

2. The amount of the financial assistance

3. Date when the charge was created or the deed was executed
.....

4. Date when the amount of financial assistance was actually advanced
.....

5. The nature of the transaction and the terms of the loan (in brief) -
.....

6. Gross amount due (including interest)

7. Payment, if any, made by the agriculturist along with the date of such payment

8. Net amount due on the date of application (excluding cost)
.....

9. Description of the property charged/mortgaged.....

It is, therefore, requested that the property hereinbefore mentioned may be distrained and sold, and amount due be paid to the

Bank. Enclosures. Agent/Officer-in-Charge..... Bank, Dated..... Form C (See Rule 12) BEFORE THE TAHSILDAR..... TEHSIL.....

..... DISTRICT..... Notice under Rule 12 of the Uttar Pradesh Agricultural Credit Rules,

1975 To, Sri..... Whereas

Sri..... borrowed a sum of Rs..... on..... 19..... as financial assistance from..... Bank..... Branch, district..... by creating a charge on the movable properties specified below: And, whereas, the amount due to the said Bank has not yet been paid and the bank has made an application (copy enclosed) that the property specified below be distrained and sold. You are, therefore, called upon to pay the sum of Rs..... within a period of fifteen days from the date of service of this notice and/or to show cause why the property specified below be not distrained and sold, and the amount due be not paid to the bank from the sale proceeds thereof. Description of the crop, produce or other movable

charged..... Dated..... Seal..... Tahsildar Form

D(See Rule 23)BEFORE THE PRESCRIBED

AUTHORITYSUB-DIVISION.....DISTRICT.....

.....APPLICANT

(BANK)versus.....OPPOSITE PARTY.Application under
Section 11 (1) of the U.P. Agricultural Credit Act, 1973, for the sale of land or interest therein or other
immovable property :

**1. Name of the agriculturist borrower (if the borrower is dead, the name of his
heirs or legal representative should also be stated)**

2. The amount of the financial assistance.....

3. Date when the deed was executed

4. Date when the deed was registered

5. Date when the amount of financial

assistance was actually advanced.....

6. The nature of the transaction and the terms of the loan (in brief)

7. Gross amount due (including interest).....

**8. Payments, if any, made by the agriculturist along with the date of such
payments,**

**9. Net amount due on the date of application (excluding
cost).....**

10. Description of the property charged/mortgaged

It is, therefore, requested that the amount due to the Bank may be directed to be paid by the sale of
the property hereinbefore

mentioned.Enclosures.Agent/Officer-in-Charge.....Bank,Dated.....Form E(See
Rules 23 and 24)BEFORE THE PRESCRIBED

AUTHORITYSUB-DIVISION.....DISTRICT.....Notice under Section
11 (1) of the U.P. Agricultural Credit Act,

1973To,Sri.....Whereas,

Sri.....borrowed a sum of Rs.....as financial assistance

from.....Bank, District.....on the basis of a deed of charge/mortgage executed

on.....in respect of the property specified below:And, whereas, the amount due to the

said Bank has not yet been paid and the Bank has made an application (copy enclosed), that a direction for the sale of the property specified below may be issued ;Now, therefore, in exercise of the powers under the proviso to Section 11 (1) of the U.P. Agricultural Credit Act, 1973, you are hereby called upon to pay the entire amount due to the said Bank, within a period of twenty-one days from the date of service of this notice or to show cause why a direction for the sale of the property charged or mortgaged not be issued. Please take notice that in the case of default, necessary direction for the sale of the property shall be issued in accordance with the provisions of the Act and the rules made thereunder:Description of the property charged/mortgaged

.....Dated.....Seal
Prescribed AuthorityForm F(See Rule 27)Certificate of Recovery under Section 11-A of U.P. Agricultural Credit Act, 1973Certified that the amount specified in Column No. 4 below is due from the persons Specified in Column No. 6 below on account of financial assistance granted by the Bank hereinafter mentioned.The aforesaid person ordinarily reside/carry on agricultural activities/own movable/immovable properties in your districts.You are, therefore, requested to recover from the aforesaid persons the said amount (along with the expenses of recovery), as arrears of land revenue and to remit the Bank's dues at an early date.Details of the Claim

1. Name of the agriculturist (Borrower)

2. Amount of financial assistance advanced by the Bank

.....

3. Date of the loan

4. Particulars of the net amount claimed

5. Date when the amount claimed fell due

6. Names and addresses of persons against whom the recovery is to be made and their status (whether borrowers, sureties, legal representatives, etc.).....

Manager/Agent Officer-in-Charge.....BankDatedSealTo,The Collector,.....District.Form G(See Rule 31)BEFORE THE APPELLATE AUTHORITY.....DISTRICTAppeal No.....of.....versus.....To,.....
 preferred an appeal under Section 12 of the Uttar Pradesh Agricultural Credit Act, 1973 (U.P. Act No. 19 of 1973), against the Order, dated.....of the Prescribed Authority in proceedings specified below :You are hereby informed that the said appeal shall be heard on..... any subsequent date to which it is adjourned.Please lake notice that in the case of default, the appeal shall be heard ex parte. Particulars of the proceedings decided by the Prescribed Authority.Appellate Authority.....NOTIFICATIONS[1] Notification Under Section 2

(C) (Ix) of U.P. Agricultural Credit Act, 1973[*] [Vide Notification No. A-2/964/X-IFD-A-7-75, dated March 29, 1976, published in U.P. Gazette, Extra, dated March 30, 1976.]In exercise of the powers under sub-clause (ix) of clause (c) of Section 2 of the Uttar Pradesh Agricultural Credit Act, 1973 (U.P. Act 19 of 1973), the Governor is pleased to notify the following financial institutions established under Section 3 of the Regional Rural Bank Act, 1976 (No. 21 of 1976) as Banks for the purposes of the said Act, namely:(1)Bara Banki Gramin Bank.(2)Farrukhabad Gramin Bank.(3)Rae Bareli Chettriya Gramin Bank.[2] Notifications Under Sections 3, 5, 11, and 12 of U.P. Agricultural Credit Act, 1973(A)Notification No. I.F. 17/X - 12/73, dated January 7, 1974, published in U.P. Gazette, Extraordinary, dated January 7, 1974.In exercise of the powers under Section 3 of the Uttar Pradesh Agricultural Credit Act, 1973 (U.P. Act No. 19 of 1973), the Governor is pleased to vest all sirdars, asamis, and Government lessees with the rights of alienation in land held under their tenure or any interest in such land, including the right to create a charge or mortgage on such land or interest, in favour of banks generally for the purpose of obtaining financial assistance from the banks. [*] [This notification has been superseded by another notification No. I-F-1329/X - 12/73 dated May 3, 1975.](B)Notification No. I.F. 18/X 10/73, dated January 7, 1974, published in U.P. Gazette, Extraordinary, dated January 7, 1974.In exercise of the powers under Section 5 of the Uttar Pradesh Agricultural Credit Act, 1973 (U.P. Act No. 19 of 1973), the Governor is pleased to authorise with immediate effect, all the Tahsildars to act as officials of the State Government within their respective jurisdiction in the districts for the distraint and sale of crop and other produce and other movable properties of the agriculturists under the said Act. [] [This notification has now become ineffective because Section 4 of the Act has been deleted by U.P. Agricultural Credit (Amendment) Act, 1975.](C)Notification No. I. F. 19/X - 10/73, dated January 7, 1974, published in U.P. Gazette, Extraordinary, dated January 7, 1974.In exercise of the powers under sub-section (1) of Section 11 of the Uttar Pradesh Agricultural Credit Act, 1973 (U.P. Act No. 19 of 1973), the Governor is pleased to specify that all the Sub-Divisional Officers and Additional Sub-Divisional Officers shall be the Prescribed Authorities within their respective jurisdictions in the districts for the purposes of the said Act.(D)Notification No. I. F. 20/X - 10/73, dated January 7, 1974, published in U.P. Gazette, Extraordinary, dated January 7, 1974.In exercise of the powers under sub-section (1) of Section 12 of the Uttar Pradesh Agricultural Credit Act, 1973 (U.P. Act No. 19 of 1973), the Governor is pleased to specify that all the Collectors of the districts in Uttar Pradesh shall be the Appellate Authorities within their respective jurisdictions for the purpose of the said Act.[3] Notification No. I. F.-1329/X-12/73, Dated May 3, 1975In exercise of the powers under Section 3 of the Uttar Pradesh Agricultural Credit Act, 1973 (U.P. Act No. 19 of 1973), read with Section 21 of the U.P. General Clauses Act, 1904 (U.P. Act No. 1 of 1904) and in supersession of the Government Notification No. I. F.-17/X-12/73 dated January 7, 1974, the Governor is pleased to vest with immediate effect, all bhumidhars, sirdars, asamis and Government lessees, with rights of alienation in land held under their tenure or any interest in such land including the right to create a charge or mortgage on such land or interest in favour of banks generally for the purpose of obtaining financial assistance from such banks.[4] Notification No. I. F.-1328/X-119/74, dated May 3, 1975In exercise of the powers under Section 9-A of the Uttar Pradesh Agricultural Credit Act, 1973 (U.P. Act No. 19 of 1973), as amended by the Uttar Pradesh Agricultural Credit (Amendment) Act, 1974 (U.P. Act No. 19 of 1975), the Governor is pleased to designate the following officers as "other officials" to exercise and perform the powers, duties and functions specified in the said Section :(1)In respect of the areas covered by a notification mentioned in sub-section (2) of Section 4 of the U.P. Consolidation of

Holdings Act, 1953 (U.P. Act No. 5 of 1954), the Consolidation Officers, within their respective jurisdictions.(2)In respect of other areas, the Naib Tahsildars of the Tahsil within their respective jurisdictions.