

# The M.P. Agriculturist Debt Relief Scheme, 1990

MADHYA PRADESH

India

## The M.P. Agriculturist Debt Relief Scheme, 1990

### Rule THE-M-P-AGRICULTURIST-DEBT-RELIEF-SCHEME-1990 of 1990

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#### 1. Short title, commencement and application.

(1) This scheme may be called The Madhya Pradesh Agriculturist Debt Relief Scheme, 1990. (2) It shall come into force with immediate effect. (3) It shall apply to the loans of the co-operative sector as defined hereinafter.

#### 2. Definitions.

- In this scheme unless the context otherwise requires- (a) "Agriculturist" means a person holding agricultural land as Bhumiswami, Occupancy Tenant, Government Lessee or service and, includes a landless person engaged in agriculture; (b) "Bank" means the Madhya Pradesh State Co-operative Bank, District Central Co-operative Bank, Primary Co-operative Society, the Madhya Pradesh State Co-operative Land Development Bank and District Co-operative Land Development Bank lending to individuals for agricultural activity. Explanation - Primary, Co-operative Society includes PACS LAMPS, FSS, SS and any other primary co-operative society lending to agriculturists. (c) "Effective date" means 1st January, 1990; (d) "Eligible Loan" means and includes overdues including overdue interest of an individual agriculturist who borrowed an agricultural loan or loans from one or more Banks, and had overdues with such bank/banks as on the effective date. Explanation. - (1) The following loans shall be treated as agricultural loans for the purpose of this clause :- (i) Short term loans advanced in cash or kind for agriculture and horticulture production, including converted re-scheduled, re-phased medium term loans. (ii) Term loans advanced for purchase of bullocks, bullock-carts and agricultural implements. (iii) Term loans advanced for the construction or repair of dugwells and diesel/electric pumps and persian wheels. (iv) Term loans advanced for land improvement whether an overdue loan against an agriculturist is eligible for the grant of relief or not

under this scheme, the decision of State Government shall be final.(2)The following loans shall not be included for the purpose of this clause;(i)Loans taken for Tractor/Tube-wells.(ii)Loans taken by farmers having irrigation from a perennial source maintained by Government.(iii)Loans taken by persons who get income from sources other than agriculture and are Income-tax payers.(iv)Loans taken by persons who are in the regular employment of Government, Government Corporations/Companies, Government aided institutions or private institutions.(v)Loans taken by persons who have establishments that are registered with the Sales Tax authorities.(e)"Perennial Source of Irrigation" means a source of irrigation having full supply for 275 days or more in a year.(f)"Registrar" means Registrar, Co-operative Societies, Madhya Pradesh.

### **3. Relief and its limit.**

(1)Co-operative Banks shall sanction debt relief up to a limit of Rs. 10,000 to a borrower of eligible loan at their level.(2)Cases of borrowers whose eligible loan exceeds Rs. 10,000 shall be decided by the Deputy/Assistant Registrar, Co-operative Societies of the District Registrar in accordance with such directions as the State Government may issue.

### **4. Identification of borrowers and determination of eligible loans.**

(1)Identification of borrowers of eligible loans shall be done by the concerned lending co-operative institution.(2)For the identification of borrowers of eligible loans, concerned bank shall prepare the borrowerwise details in such forms as may be prescribed by the State Government/Registrar.(3)Details in respect of eligible loans prepared under sub-section (2) shall be placed before the Managing Committee of the concerned bank for finalisation with modifications, if any, the list so finalised by the Managing Committee shall be audited and certified by an auditor to be appointed by the Registrar who shall forward the same to the Manager of Central Co-operative Bank/L.D.B. State Co-operative Bank, as the case may be, for determining eligible loans and sanction waiver of the loans as provided hereinunder.(4)On the basis of details so forwarded by the auditor, information shall also be prepared by the bank concerned in such format as may be required by the lead bank for the purpose of computing loan waiver under the Agricultural and Rural Debt Relief Scheme, 1990 of the Government of India.

### **5. Adjustments in the loan Account.**

(1)After the sanction of debt relief in respect of overdue amount of principal and interest under Section 3, the Bank shall issue a certificate in respect of debt relief sanction to the borrower, in a form prescribed by the State Government/Registrar.(2)Credits shall be given in the eligible loan accounts upto the amount of loan waiver sanctioned as per priorities laid down by the State Government, to the extent of payment made by the State Government to the Banks.(3)The amount of loan waiver of remaining accounts of eligible loans shall be credited and transferred to deferred loan accounts of respective borrowers shown as "Receivable from the State Government under Debt Relief Scheme" till the amount is received from the State Government with interest thereon.

## **6. Eligibility of beneficiaries for fresh loans.**

(1) All borrowers whose loan accounts are closed under sub-section (2) of Section 5 of this scheme, shall be considered as eligible for fresh loans and advances by the bank for ensuing seasonal agricultural operations : Provided, however, that any such borrower who failed to repay any loan or loan instalment, falling due after 31st December, 1989, shall be considered as defaulter. (2) In so far as the borrowers falling under sub-section (3) of Section 5 are concerned fresh finance will be extended to them to the extent the resources permit, without Nabard assistance.

## **7. Submission of Claim Statements.**

- Each bank shall prepare and submit claims in respect of the amount of relief in the prescribed form to State Co-operative Bank/State Land Development Bank as the case may be who shall submit the consolidated statement to the State Government through Registrar, Co-operative Societies for sanction and adjustment against advance made available by the State Government.

## **8. Interest claims.**

- The claim statements submitted to the State Government shall cover interest due on the amount receivable from the State Government upto the date of release of funds by the State Government.

## **9. Payment of the claim amount.**

- In order to maintain the liquidity of the Co-operative Banks, a part of the anticipated claim amount will be released in advanced to them by the State Government out of its own budget and out of the fund received for this purpose from Government of India through Reserve Bank of India/Nabard. (2) Claim statements in respect of deferred accounts mentioned in sub-section (3) of Section 5 shall be submitted by the State Co-operative Bank/State Land development Bank within a period not exceeding three months and the payment of such claims shall be made by the State Government to the banks in quarterly instalments over a period not exceeding two years.

## **10. Administrative guidelines.**

- State Government/ Registrar may issue suitable administrative guidelines for smooth and expeditious implementation of the scheme.

## **11. Miscellaneous.**

(1) This scheme is only "One Time Measure" and will cover loans overdue as on 1st January, 1990 and that this facility will not be extended in future. (2) The previous scheme of "Blocking of Overdues" shall stand repealed on the commencement of this scheme.