The Textile Undertakings (Nationalisation) Claims Rules, 2001

Published vide Notification in the Gazette of India, Extra, part 2, Section 3(1), dated 27th November, 2001

1740

G.S.R. 865 (E) New Delhi, the 27th November, 2001. - In exercise of the powers conferred by section 36 of the Textile Undertakings, (Nationalisation) Act, 1995 (39 of 1995) the Central Government hereby makes the following rules, namely :-

1. Short title and commencement. - (1) These rules may be called the Textile Undertakings (Nationalisation) Claims Rules, 2001.

2. Definition. - In these rules, unless the context otherwise requires,-

(a) "Act" means the Textile Undertaking (Nationalisation) Act, 1995 (39 of 1995)

(b) "section" means a section of the Act;

(c) words and expressions used in these rules and not defined but defined in the Act shall have the meaning respectively assigned to them in the Act.

3. Time limit for intimation. - Every mortgagee of any property which was vested under the Act in the Central Government or in an existing Government (Company) as the case may be, and every person holding any charge, lien or other interest in, or in relation to, any such property, shall give intimation of such mortgage, charge, lien or other interest to the Commissioner within a period of thirty days from such date as may be specified by the Central Government under section 20 of the Act :

Provided that if the Commissioner is satisfied that the mortgagee or the person holding any charge, lien or other interest was prevented by sufficient cause from giving the intimation within the said period of thirty days, he may, after recording reasons in writing, receive the intimation within a further period of thirty days but not thereafter.

4. Manner of intimation. - (i) Every intimation to be given the commissioner under rule 3, shall be in writing, addressed to the Commissioner and shall contain the following particulars namely :-

(a) name, description and full address of the mortgagee or the person holding charge, lien or other interest in or in relation to such property;

(b) name, description and full address of the textile undertaking in respect of which the claim is made;

(c) amount of claim (in Indian currency) :

(i) under sub-section (5) of Section 4..... Rs. P.

(ii) under section 8 ....Rs. P.

(iii) under sub-section (1) of Section 9 ....Rs. P.

(iv) under sub-section (2) of Section 9 .... Rs. P.

(v) under sub-section (2) of Section 18 ....Rs. P.

(vi) under sub-section (3) of Section 18 .... Rs. P.

(vii) Total amount of claim

(d) particulars of the instrument, if any, by which the mortgage, charge, lilen or other interest is secured, supported by by attested copy of the instrument.

(e) amount, if any, already received with particulars;

(f) any other particulars relevant to the claim;

(g) relief claimed.

(2) Every intimation should be duly signed and verified by the mortgagee or the person holding the charge, lien or other interest, or by a person duly authorised by the mortgagee or the person holding the charge, as the case may be.

(3) Every intimation under sub-rule (1) shall be filed in the office of the Commissioner of Payments at NTC Premises Core-IV Scope Complex, 7, Lodhi Road, New Delhi, on all working day during office hours or may be sent by registered post with acknowledgment due.

IndiaCode