THE RAJASTHAN MONEY-LENDERS ACT, 1963 (RAJASTHAN ACT NO. 1 OF 1964)

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An Act To make better provision for the regulation and control of transactions of money-lending in the State of Rajasthan. Be it enacted by the Rajasthan State Legislature in the Fourteenth Year of the Republic of India as follows: —

1. Short title, extent and commencement--(I) This Act may be called the Rajasthan Money-lenders Act, 1963.

(2) It extends to the whole of the State of Rajasthan.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint in this behalf.

2. Definitions.- In this Act, unless there is anything repugnant in the subject or context;

(1) **'bank**' means a banking company as defined in the Banking Companies Act, 1949 (Central Act X of 1949), and includes the State Bank of India and any other banking institution notified by the Central Government under sec. 51 of the said Act;

(2) **'business of money-lending'** means the business of advancing loans whether or not in connection with or in addition to any other business;

(3) **'capital'** means a sum of money which a money-lender invests in the business of money -lending;

(4) **'company'** means a company as defined in sec. 3 of the Companies Act, 1956 (Central Act I of 1956);

(5) **'co-operative society'** means a society registered or deemed to have been registered under the Rajasthan Co-operative Societies Act, 1953 (Rajasthan Act IV of 1953) or under the Co-operative Societies Act, 1912 (Central Act II of 1912) or under any Act of any other State Legislature relating to co-operative societies;

(6) **'interest'** includes any sum, by whatsoever name called, in excess of the principal paid or payable to a money-lender in consideration of or otherwise in respect of a loan, but does not include any sum lawfully charged by a money- lender for or on account of costs charges or expenses in accordance with the provisions of this Act or any other law for the time being in force;

(7) **'licence'** means a licence granted under this Act;

(8) **'licence-fee'** means the fee payable in respect of a licence;

(9) **'loan** means an advance at interest, whether of money or in kind, but does not include: — (a) a deposit of money or other property in a Government Post Office Savings Bank or in any other bank or in a company or with co-operative society; (b) a loan to or by, or a deposit with, any society or association registered or deemed to be registered under the Rajasthan Societies Registration Act, 1958 or any other enactment, relating to a public, religious or charitable objects; (c) a loan advanced by Government or by any local authority authorized by Govt.; (d) a loan advanced to a Government servant from a fund established for the welfare and assistance of Govt. servants and which is sanctioned by the State Govt; 9 Rajasthan Money Lenders Act, 1963 (e) a loan advanced by a co-operative society; (f) an advance made to a subscriber to, or a depositor in, a Provident Fund from the amount standing to his credit in the fund in accordance with the rules of the fund; (g) a loan to or by an insurance company as defined in the Insurance Act, 1938 (Central Act IV of 1938); (h) a loan to, or by a bank; (i) an advance made on the

basis of a negotiable instrument as defined ju the Negotiable Instruments Act, 1881 (Central Act XXVI of 1881) other than a promissory note: (j) except for the purposes of sections 27 and 29. (i) a loan to a trader, or (ii) a loan to a money-lender who holds a valid licence;

(10**) "money-lender'"** means:-— (i) an individual or (ii) an individual Hindu family, or 1 (iii) a company (not being a banking company as defined in section 5 of the Banking Regulation Act, 1949;, body or institution other than such of them as may, by notification in the Official Gazette, be exempted from the provision's of this Act by the Stale Government on being satisfied that it is necessary or expedient so to do in public interest, or] (iv) an un incorporated body of individuals, who or which— (a) carries on the business of money-lending in the State; or (b) has his or its principal place of such business in the State.

(11) **"principal"** means in relation to a loan, the amount actually advanced to the debtor;

(12) **"Provident Fund"** means a Provident Fund as defined in the Provident Funds Act, 1925 (Central Act X of 1925) and includes a Government Fund and a Railway 1 Substituted for the original expression—(iii) a company other than a banking company as defined in sec. 5 of the Banking Company Act, !949, or by the Rajasthan Money-lenders Amendment Act, 1986 (Raj. Act No. 6 of 19e'6) vide Notification No. R 2 (4), vidhi/86, dated / 3-2-1986 Pub. in Raj, Gaz., Extra-ordinary, Part IV-A, dated 13-2-1986 at pages 105-107 and came into force w e.f. 30-12-1985 the day on which Raj. Ordinance No. 13 of 1985 came into force. 10 Rajasthan Money Lenders Act, 1963 Provident Food as defined in the said Act;

(13) **'recognized language'** means— (i) Hindi written in the Devnagri script, or (ii) English, if the debtor so desires in writing, or (iii) where both the parties speak the same language, that language;

(14) **'register'** means a register of money-lenders maintained under sec. 4

(15) **'suit to which this Act applies'** means any suit or proceeding— (a) for the recovery of a loan made after the date on which this Act comes into force; or (b) for the enforcement of any security taken or any agreement made after the date on which this Act comes into force in respect of any loan made either before or after the said date; or (c) for the redemption of any security given after the date on which this Act comes into force in respect of any loan made either before or after the said date;

(16) **'trader'** means a person who in the regular course of business buys and sells goods or other property, whether movable or immovable, & includes— (a) a whole-sale or retail merchant, (b) a commission agent, (c) a broker, (d) a manufacturer, (e) a contractor, and (f) a factory owner, but does not include an artisan or a person who sells his agricultural produce or cattle or buys agricultural produce or cattle for his use. Explanation.—For the purposes of clause (16) an 'artisan' means a person who does not employ more than ten workers in manufacturing process on any one day of the twelve months immediately preceding.

3. Appointment of Registrar General, Registrars and Assistant Registrars — The State Government may, by notification in the official Gazette appoint such officers, as it thinks proper, to be a Registrar General, Registrars and Assistant Registrars of money-lenders for the purposes of this Act and may define the areas within which each such officer shall exercise his powers and perform his duties.

4. Register of money-lenders. — Every Assistant Registrar shall maintain for the area of his jurisdiction a register of money-lenders in such form as may be prescribed: Provided that any such register maintained in any area immediately before the commencement of his Act under the provisions of the enactments repealed by section 49 shall, in so far as it is not inconsistent with this Act or the rules made thereunder, be deemed to have been maintained under this A7ct.

5. Money- lenders not to carry on business of money- lending except for area under licence and except in accordance with term of licence.--Save is provided in section 49, no money-lender shall after the expiration of six months from the date on which this Act is brought into forces carry on, or continue to carry on, the business of money-lending except in accordance with the terms and conditions of such licence.

6. Application by money-lender for grant or renewal of licence. — Every money-lender shall make an application in the prescribed form for the grant of a licence to the Assistant Registrar of the area within the limits of which the place, where he intends to carry on the business of money-lending, or, if he intends to carry 18 Rajasthan Money Lenders Act, 1963 on such business at more than one place in the area, the principal place of such business, is situated.

(2) Such application shall contain the following particulars, namely: —

(a) the name in which such money-lender intends to carry on business and the name of the person proposed to be responsible for the management of the business;

(b) if the application is by or on behalf of —

(i) an individual, the name and address of such individual;

(ii) an undivided Hindu family, the names and addresses of the manager and the adult coparceners of such family;

(iii) a company, the names and addresses of the directors, manager or principal officer managing it;

(iv) an un -incorporated body of individuals, the names and address of such individuals;

(c) the area and the place or principal place of the business of money- lending in the State;

(d) the name of any other place in the Slate where the business of moneylending is carried on or intended to be carried on;

(e) whether the person singing the application has himself, or any of the adult coparceners of an undivided Hindu family or any director manager or principal officer of the company or any member of the un-incorporated body on behalf of which such application has been made, as the case may be. has carried on the business of money-lending in the State in the year ending on the 31st day of March immediately preceding the date to the application either individually or in partnership or jointly with any other copartner or any other person and whether in the same or any other name;

(f) the total amount of the capital which such person intends to invest in the business of money-lending in the years for which the application has been made;

(g) if the places at which the business of money-lending is to be carried on are more than one, the names of persons who shall be in charge of the management of the business at each such place;

(h) such other particulars as may be prescribed.

(3) The application shall be in writing and shall be signed, —

(a) (i) if the application is made by an individual, by the individual;

(ii) if the application is made on behalf of an undivided hindu family, by the manager of such family;

(iii) if the application is made by a company or un-incorporated body, by the managing director or any other person having control of its principal place of business in India or of its place of business in the area in which it intends to carry on the business; or 19 Rajasthan Money Lenders Act, 1963

(b) by an agent authorized in this behalf by a power of attorney by the individual money- lender himself, or the family or the company or the un- incorporated body, as the case may be.

(4) The application shall be accompanied by a licence fee at the following rates:

a	if the place at which the business of money-lending is to be carried on is not more than one	Rs 15/-
b	if the business of moneylending is to be carried on at more than one place within the limits of the area of the Registrar.	Rs. 15/- for the licence for the principal place of business, and Rs. 6/- for the licence for each of the other places in the area.

Explanation. — For the purposes of this section, "place" means, in relation to the business of money-lending, the shop or address or place at which the money-lender carries on his business of money-lending.

(5) The fee payable under this section shall be paid in the manner prescribed and shall not be refunded, notwithstanding the fact that the grant of the licence is refused or the application is withdrawn.

(6) An application for the renewal of a licence previously granted under this Act shall be made within two months before the expiration of the term thereof to the Assistant Registrar referred to in sub-section (1) in the prescribed form and containing the prescribed particulars: Provided that where an application is made after the expiry of the period specified in this sub-section, it shall be accompanied by a licence fee at double the rates prescribed therefor.

(7) Save as otherwise provided in this Act, the provisions thereof shall, as far as may be, apply to the renewal of licenses and to renewed licence in the same manner as they apply respectively to the grant of licence granted originally.

(8) Where a licence granted to a money-lender is lost, destroyed or torn or otherwise defaced in such manner as to reader it illegible, the money-lender may obtain a duplicate licence in the prescribed manner on payment of such fee as may be prescribed.

7. Inquiry into and disposal of application.—(1) (a) On the receipt an application under section 6 and after making a summary inquiry in 'accordance with the prescribed procedure, the Assistant Registrar shall forward the application, together with his report, to the Registrar. The Registrar may, after making such further inquiry, if any, as he deems fit grant a licence in such form and subject to such conditions as may be prescribed and direct the Assistant Registrar to enter the name of such applicant in the- : register maintained by him under section 4.

(b) If the application is in respect of more than one place of business in the area under the jurisdiction of the Registrar, a separate licence in respect of each such place shall be granted in the name of the applicant and the person responsible for the management of the business at such place.

(2) If the application also contains a request for the grant of a licence to carry on the business of money-leading at any place within the State outside the jurisdiction of the Registrar who granted the licence in respect of the principal place of business of the money-lender, the Registrar shall forward copies of the application and of the licence granted to the Registrar having jurisdiction, who may grant a licence on payment of the licence fee provided for in section 6 without making any inquiry in respect of the application.

8. Grounds for refusal of licence.—(1) The grant of a licence shall not be refused except on any of the following grounds:—

(a) that the applicant, or any person responsible or proposed to be responsible for the management of his business as a money-lender, is disqualified from holding a licence;

(b) that the applicant has not complied with the provisions of this Act or the rules in respect of an application for the; grant of a licence;

(c) that the applicant has made willful default in complying with or knowingly acted in contravention of, any requirement of this Act;

(d) that satisfactory evidence has been produced that the applicant 21 Rajasthan Money Lenders Act, 1963 or any person responsible or proposed to be responsible for the management of business of money-lending has—

(i) Knowingly participated in or connived at any fraud or dishonesty in the conduct of or in connection with the business of money-lending, or

(ii) has been convicted of an offence specified in the Schedule to the Act and sentenced to imprisonment for any term with or without any fine: Provided that the State Government may at any time on an application in the prescribed form accompanied by the prescribed fee remove a disqualification under clause (d) (ii) of this subjection having regard to the time which has elapsed since the order and the circumstances under which it was made or to the time that has elapsed since the conviction and to the nature of the offence.

(2) The Registrar shall, before refusing a licence under sub-section (I), give to the applicant a reasonable opportunity of producing evidence, if any, in support of the application and of showing cause why the licence should net be refused, and record the evidence adduced before him and his reasons for such refusal.

(3) An appeal shall lie from an order of the Registrar refusing a licence under subsection (1) to the Registrar General and may be preferred within sixty days from the date on which the order is communicated to the applicant.

(4) The decision of the Registrar General on such appeal shall be final.

9. Registrar's power to cancel licence. — (I) The Registrar may, during the term of any licence, cancel the same by an order in writing on the ground that the person to whom it was granted has been guilty of any act or conduct for which he might, under section 8, have refused him the grant of the licence and which act or conduct was not brought to his notice at the time of the grant.

(2) Before cancelling a licence under subsection (1), the Registrar shall give notice in writing to the licensee and may hold such inquiry as may be necessary.

(3) An appeal shall lie from an order of the Registrar cancelling a licence under sub-section (1) to the Registrar General and may be preferred Within sixty days from the date on which the order is communicated to the licensee.

(4) The decision of the Registrar General on such appeal shall be final

10. Term of licence.—A licence shall be valid for a period of three years from the date of its issue: Provided that when an application for renewal of a licence has been received by an Assistant Registrar within the prescribed period, the licence shall, until the application is finally disposed of, be deemed to be valid.

[1]**[11. Dismissal of suit by money-lender not holding licence**.— (I) Where a suit to which this Act applies is filed by a money-lender and the court in which it is filed is satisfied that at the time when the loan or any part thereof to which the suit relates was advanced, the money-lender did not hold a valid licence, it shall dismiss the suit forthwith without going into the merits of the claim and shall order the refund of the security, if any, without repayment of the loan.

(2) Nothing in this section shall affect— (a) suits pending in any court on the date of the commencement of the Rajasthan Money-lenders (Amendment) Ordinance, 1975, which may be disposed of according to the law existing immediately before such commencement;

(b) suits in respect of loans advanced by a money-lender before the date on which this Act came into force; and

(c) the powers of the Court of Wards or an Official Assignee or a receiver or an administrator or a court under the law relating to insolvency for the time being in force or a liquidator under the Companies Act, 1956 (Central Act 1 of 1956) to release the properly of a money-lender.]

12. [2](Omitted).

13. Application for Cancellation of licence.—(i) Any person may, during the currency of a licence, file an application to the Register for the cancellation of the licence issued to a money-lender on the ground that such money-lender has been guilty of any act or conduct for which the Registry may, under section 8. refuse to grant a licence.

(2) Along with in such application the said person shall deposit such amount not exceeding one hundred rupees as the Registrar may deem fit.

(3) On the receipt of such application and deposit or of a report to that effect from an officer acting under section 16, the Registrar shall hold an inquiry i: i the prescribed manner and, if he is satisfied that the money-lender has been guilty of such act or conduct, he may cancel the licence of the money-lender and may also direct the return of the deposit made under sub-section (2).

(4) If in the opinion of the Registrar an application made under sub-section (1) is frivolous or vexatious, he may, out of the deposit made under sub-section (2), direct to be paid to the money-lender such amount as he deems fit as compensation. (5) Any person aggrieved by an order of the Registrar under sub-section (3) or sub section (4), may within sixty days from the date on which the order is communicated to him and on payment of such fee as may be prescribed appeal to the Registrar General and the order of the Registrar General on such appeal shall be final.

14. Application of section 5 of Central Act IX of 1908 to certain appeals.— The provisions of section 5 of the Indian Limitation Act, 1908 (Central Act IX of 1908) shall apply to all appeals made under sections 8, 9 and 13 and for the purpose of the said section of the said Act, the Registrar General shall be deemed to be a court.

15. Registrar, Assistant Registrar and authorized officer to have powers of civil courts - For the purposes of sections 7, 13 and 16, the Registrar. Assistant Registrar and, as the case may be the officer authorized under section 16 shall have and may exercise the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (Central Act V of 1908), in respect of the following matters:—
(a) enforcing the attendance of any person and examining him on oath;

(b) compelling the production of documents and material objects;

(c) issuing commissions for the examination of witnesses; and

(d) proof of facts by affidavits

[1.]Amendment by Amending Act No. 13 of 1976

[2] Omitted by section 3 of the Rajasthan Amending Act No. 13 of 1976 Pub. in-Raj. Gaz., Extraordinary, Part 1V, dated l3-2-1976. Paces 18 to 185,

16 Power of authorized officer to require production of record or documents —(1) For the purpose of verifying whether the business of money-lending is carried on in accordance with the provisions of this Act, any Registrar, Assistant Registrar or any other officer authorized by the State Government in this behalf in may require - any money-lender or any person in respect of whom the Registrar, Assistant Registrar or the officer so authorized has reason to believe that he is carrying on the business of money lending in the State to produce any record or document in his possession which, in his opinion, is relevant for the purpose and thereupon such money-lender or person shall produce such record or document.

(2) The Registrar, Assistant Registrar or officer so authorized may, after reasonable notice, at reasonable time enter any premises where he believes such record or document to be and may ask any question necessary for interpreting or verifying such record or document.

17. Court's power to cancel or suspend a licence.—(1) A court passing an order of conviction against a money-lender for an offence under this Act, or a court trying a suit to which this Act applies, if satisfied that such money lender has committed such contravention of the provisions of this Act or the rules made thereunder as would, in its opinion, make him unfit to carry on the business of moneylending may:—

(a) if it is a competent court, pass an order under sub-section (3); or

(b) if it is not a competent court, record is opinion and forward the proceedings to a competent court having jurisdiction in the place where such court is held.

(2) A competent court to which the proceedings are submitted under clause (b) of sub-section (1) may, if it thinks fit, examine the parties and recall and examine any person who has already given evidence in the proceedings and may call for and take any further evidence and pass such order in the case as it thinks fit in accordance with the provisions of sub section

(3). (3) A competent court referred to in clause (a) of sub-section (1) or to which proceedings are submitted under sub-section (2),—

(a) may order that all the licenses held by any money-lender in the State, referred to in sub-section (l), be cancelled or suspended for such time as it thinks fit,

(b) may if it thinks fit, declare any & such money-lender, or if such money-lender is an undivided Hindu family, a company or an un-incorporated body, such family, 25 Rajasthan Money Lenders Act, 1963 company, or body and also any person responsible for the management of the business of money lending carried on by such family, company or body, be disqualified from holding any licence in the State for such time as the court may think fit:

Provided that no order or declaration shall be made under this subsection unless a reasonable opportunity has been given to the person concerned to show cause against the order or declaration proposed to be made.

(4) Any person aggrieved by the decision of a competent court under sub section (3) may, within ninety days of the passing of the order, appeal against such order to toe High Court; and the competent court which passed the order or the High Court in appeal may, if it thinks fit, stay the operation of the order under this section pending the disposal of the appeal.

(5) Where a court convicts a money-lender of an offence under this Act, or makes an order or declaration under clause (a) or clause (b) of sub-section (3), it shall cause the particulars of the conviction, order or declaration, as the case may be, to be endorsed on all the licenses held by the money-lender convicted or any other person affected by the order or the declaration and shall cause copies of the order or the declaration to be sent to the Registrar by whom the licenses were granted for the purpose of entering such particulars in the registers.

(6) Any licence required by a court for endorsement in accordance with subsection (5) shall be produced by the person by whom it is held in such manner and within such time as may be directed by the court, and any person who, without reasonable cause, makes default in producing the licence as required shall be liable, on conviction, to a fine not exceeding five hundred rupees for each day of the period during which the default continues.

(7) The powers conferred on a court under sub-section (3) and sub-section (5) may be also exercised by any court in appeal.

(8) For the purposes of this section, a "competent court means a court of the District Judge or in any area, .such court subordinate to the High Court as the State Government may, by notification in the Official Gazette, designate in this behalf.

18. No compensation for suspension or cancellation of licence. — Where any licence is suspended or cancelled under this Act, no person shall be entitled to any compensation or the refund of any licence fee.

19. Persons debarred from doing business during period of suspension or cancellation of licence.— A person whose licence has been suspended or cancelled in accordance with the provisions of this Act shall, during the period of suspension or cancellation, as the case may be, be disqualified from holding any licence ii) the State 26 Rajasthan Money Lenders Act, 1963

20. Person whose licence is suspended or canceled not to apply without giving particulars of endorsement or disqualification.—No person whose licence has been endorsed under section 17 or who has been disqualified from holding a licence, shall apply for, or be eligible to hold, a licence without particulars of such endorsement or disqualification.

21. Transfer of licence to heir.— (1) Where a licensee under this Act dies, any person claiming to be his legal representative may apply to the licensing authority for transferring in his name the licence standing in the name of deceased.

(2) Every such application shall be in such form and shall contain such particulars as may be prescribed.

(3) The licensing authority may, if it is satisfied that the applicant is in fact the legal representative of the deceased and that he is otherwise eligible to obtain a licence under this Act, transfer the licence in the name of the applicant after obtaining from him a declaration in the prescribed form.

Any licence transferred under sub-section (3) shall be deemed to have been granted to the applicant himself and shall be valid for the period for which it would have been valid if the licence had not been transferred find the provisions of this Act shall apply accordingly.

22. Duty of money-lenders to keep accounts and furnish copies.— (1) Every money-lender shall keep and maintain a cash book, a ledger and a receipt book in such form and in such manner as may be prescribed.

(2) Every money-lender shall,—

(a) Deliver or cause to be delivered in the prescribed manner—

(i) to the debtor within three months from the date on which a loan is made, a statement in the prescribed form and in any recognized language showing in clear and distinct terms the amount and date of the loan and of its maturity, the nature of the security, if any, for the loan, the name and address of the debtor and of the money-lender and the rate of interest thereon and such other particulars as may be prescribed

Provided that no such statement shall be required to be delivered to a debtor if he is supplied by the money-lender with a pass-book which shall be in the prescribed form and shall contain an up-to-date account of the transactions with the debtor;

(ii) To the Assistant Registrar within the said period, a statement containing the particulars referred to in sub-clause (i); 27 Rajasthan Money Lenders Act, 1963

(b) upon repayment of a loan in full, mark indelibly every paper signed by the debtor with words indicating payment of cancellation, and discharge every mortgage, restore every pledge, return every note and cancel or re-assign every assignment given by the debtor as security for the loan.

(3) Notwithstanding anything contained in sub-clause (ii) of clause (a) of sub section (2), the State Government may, by order in writing, permit such class of money-lenders as may be specified in the order to deliver or cause to be delivered to the Assistant Registrar a statement containing the particulars referred to in sub clause (i) of sub-section (2) in respect of all loans, made during every such period as may be specified in the order; and upon the issue of such order a money-lender electing to deliver a periodical statement as provided in this sub section shall deliver or cause to be delivered the same within a period of thirty days from the date of expiry of the aforesaid period.

(4) No money lender shall receive any payment from a debtor on account of any loan without giving him a clear anti complete receipt in the prescribed form for the payment and shall take the signatures of the debtor on the counterfoil of the receipt maintained for the purpose.

(5) No money-lender shall accept from a debtor any article as a pawn, pledge or security for a loan without giving him a plain signed receipt for the same with its (description, estimated value, the amount of the loan advanced against it and other particulars as may be prescribed. Such money-lenders shall maintain the duplicates of such receipts in a separate register. COM.

23. Delivery of statement of accounts and copies thereof by moneylender.— (i) Every money-lender shall deliver or cause to be delivered every year to each of this debtors a legible statement of .such debtor's account signed by the money-lender or his agent of amount that may be outstanding against such debtor. The statement shall show — (i) she amount of principal, the amount of interest and the amount of fees referred to in section 24, separately, due to the money-lender at the beginning of the year;

(ii) the total amount of loans advanced during the year;

(iii) the total amount of repayments received during the year; and

(iv) the amounts of principal and interest due at the end of the year. The statement shall be signed by the money-lender, or his agent, and shall be in any recognized language. It shall be in such form and shall be supplied to the debtor on or before such date as may be prescribed. The money-lender shall, on or before the aforesaid date, deliver or cause to be delivered a copy of each statement to the Assistant Registrar.

(2) In respect of any particular loan, whether advanced before or after the date on which this Act comes into force, the money lender shall on demand in writing being made by the debtor at any time during the period when the loan or any part thereof has not been repaid and on payment of the prescribed fee supply to the debtor, or if the debtor so requires to any person specified in that behalf in the demand, a statement, in any recognized language, signed by the money-lender or his agent, and containing the relevant particulars specified in sub-section (I).

(3) A money-lender shall, on a demand in writing by the debtor and on tender of the prescribed sum of expenses, supply a copy of any document relating to a loan made by him or any security therefor to the debtor, or if the debtor so requires to any person specified in that behalf in the demand.

(4) For the purpose of this section, "year" means the year for which the accounts of the money-lender arc ordinarily maintained in his own books.

24. Fees for certain statements supplied to debtor and Assistant Registrars- -(I) A money-lender may recover from a debtor fees for the statements supplied under sub-section (2) or sub-section (3) of section 22 or sub-section (1) of section 23 to the debtor and to the Assistant Registrar.

(2) Such fees shall be recoverable at such rates and in such manner as prescribed, subject to the maximum of two rupees per debtor, year, irrespective of the number of statements supplied to the debtor or to the Assistant Registrar during the relevant year.

25. Debtor not bound to admit correctness of accounts—A debtor to whom a 29 Rajasthan Money Lenders Act, 1963 statement of accounts of a pass book has been furnished under section 22 shall not be bound to acknowledge or deny its correctness and bis failure to do so shall not, by itself, be deemed to be an admission of the correctness of the accounts.

26. Procedure of court in suits regarding loans.—Notwithstanding anything contained in any law for the time being in force, in any suit to which this Act applies—

(a) a court shall, before deciding the claim on merits, frame and decide the issue whether the money-lender has complied with the provisions of section 22 and section 23; 4

[4][(b) if the court finds that the provisions of section 22 and section 23 have not been complied with by the money-lender in respect of the whole or any part of the claim, it shall dismiss —

(i) the whole suit with costs where such contravention has been in respect of the entire claim in the suit; or

(ii) so much of the claim costs proportionate thereto in respect of which the said provisions have not been complied with by the moneylender.]

Explanation.—A money-lender who has given the receipt or furnished a statement of accounts or a pass book in the prescribed form and manner, shall be held to have complied with the provisions of section 22 or section 23, as the case may be, in spite of any errors and omissions, if the court finds that such errors and omissions, are not material or not made fraudulently.

[5] [27. Maximum amount of interest recoverable on loans and discharge of loans in certain cases.— (1) No money-lender shall recover towards the interest in respect of any loan advanced by him, an amount in excess of the amount of principal.

(2) Any loan in respect of which the money-lender has realized from the debtor an 6 Substituted by section 5 of Rajasthan Act No. 13 of 1976, published in the Rajasthan Gazette, Part IV-A Extraordinary, dated 13-2-1976. Page 131 to 185 32 Rajasthan Money Lenders Act, 1963 amount equal to or more than twice the amount of the principal, shall stand discharged and the amount, if any, so realized in excess of twice the amount of the loan shall be refunded by the money-lender to the debtor :

Provided that no refund shall be made if such excess amount had been realized prior to three years from the date of commencement of the Rajasthan Money-lenders (Amendment) Act, 1976.]

28 Power of court to direct payment of decretal amount by installments.— Notwithstanding anything contained in the Code of Civil Procedure 1908 (Central Act V of 1908), the court may, at any time, on the application of a judgment debtor, after notice to the decree-holder, direct that the amount of any decree passed against him, 33 Rajasthan Money Lenders Act, 1963 whether before or after the date on which this Act comes into force, in respect of a loan shall be paid in such number of installments and subject to such conditions, and payable on such dates, as, having regard to the circumstances of the judgment debtor and the amount of the decree, it considers lit:

[4] Whole of sub-section (b) of section 26 was substituted by section 4 of the Rajasthan Money Lenders Amendment Act, 1976 (Raj. Act No. 13 of 1976) Pub. in Raj. Gaz., Extra-ordinary, Part 1V-A, dated 13-2-1976 at pages 181 to 185.

[5] Substituted by section 5 of Rajasthan Act No. 13 of 1976, published in the Rajasthan Gazette, Part IV-A Extraordinary, dated 13-2-1976. Page 131 to 185

Provided that nothing contained in this section shall apply to a decree passed under Order 34 of the First Schedule to the said Code.

29, Limitation on rates of interest. —(1) The State Government may, from time to time, by notification in the Official Gazette, fix the maximum rates of simple interest for any class of business of money-lending in respect of secured and unsecured loan.

(2) No money-lender shall charge or receive from a debtor interest at a rate exceeding the maximum rate fixed by the State Government under sub section (1).

(3) Notwithstanding anything contained in any law for the time being in force, no agreement between a money-lender and a debtor for payment of interest at rates exceeding the maximum rates fixed by the State Government under sub-section (I) shall be valid and no court shall, in any suit to which this Act applies, award interest exceeding the said rates.

(4) If any money-lender charges or receives from a debtor, interest at the rate exceeding the maximum rates fixed by the State Government under sub-section (i), he shall for the purpose of section 40. be deemed to have cont- ravened the provisions of this Act.

30. Prohibition of charge for expenses on loans by money -lenders. — No money-lender shall receive from a debtor or intending debtor any sum other than reasonable costs of investigating title to the property, costs of stamp, registration of documents and other usual out-of-pocket expenses in cases where an agreement 35 Rajasthan Money Lenders Act, 1963 between the parties includes a stipulation that property is to be given as security or by way of mortgage and where both parties have agreed to such costs and reimbursement thereof, or where such costs, charges or expenses are leviable under the provisions of the Transfer of Property Act, 1882 (Central Act IV of 1882) or any other law for the time being in force.

31. Notice and information to be given on assignment of loans. — (1) Where a loan advanced, whether before or after the date on which this Act comes into force, or any interest on such loan or the benefit of any agreement made or security taken in respect of such loan or interest is assigned to any assignee, the assignor (whether he is the money-lender by whom the money was lent or any person to whom the debt has been previously assigned) shall, before the assignment is made —

(a) give the assignee notice in writing that the loan, interest, agreement or security is affected by the operation of this Act,

(b) supply to the assignee all information necessary to enable him to comply with the provisions of this Act, and

(c) give the debtor notice in writing of the assignment supplying the name and address of the assignee,

(2) Any person acting in contravention of the provisions of subsection (1) shall be liable to indemnify any other person who is prejudiced by the contravention.

32 Application of Act as respects assignees.— (1) Save as hereinafter provided, where any debt due to a money-lender in respect of money lent by him, whether before or after the date on which this Act comes into force or of interest on money so lent, or of the benefit of any agreement made or security taken in respect of any such debt or interest, has been assigned, the assignee shall be deemed to be the money-lender and all the provisions of this Act shall apply to such assignee as if he were the money-lender.

(2) Notwithstanding anything contained in this Act or in any other law for the time being in force, where for any reason any such assignment is invalid and the debtor has made any payment of money or transfer of property on account of any loan which has been so assigned, the assignee shall in respect of each payment or transfer be deemed to be the agent of the money lender for all the purposes of This Act.

33. Reopening of transactions or accounts already taken — Notwithstanding anything contained in any law for the time being in force, the court shall, in any suit to which this Act applies, whether heard ex party or otherwise.

(a) re-open any transaction or any account already taken between; the parties;

(b) taken account between the parties; 36 Rajasthan Money Lenders Act, 1963

(c) reduce the amount charged to the debtor in respect of any excessive interest;

(d) if on faking accounts it is found that the money-lender has received more than what is due him, pass a decree in favour of the debtor in respect of such amount:

Provided that, in the exercise of these powers, the court shall not—

(i) re-open any adjustment or agreement purporting to close previous dealings and to create new obligations which have been entered into by the parties or any person through whom they claim at a date more than six years from the date of the suit;

(ii) do anything which affects any decree of a court.

34. Application to court by debtor for taking account.-- (1) Any debtor may make an application at any time to the court, whether the loan has or has not become payable, for taking accounts and for declaring the amount due to the money-lender.

(2) Such application shall be in the prescribed form and accompanied by the prescribed fee.

(3) On receipt of such application, the court cause a notice shall of the application to be given to the money-lender.

(4) On the date fixed for the hearing of the application or on such dale to which the hearing may be adjourned from time to time, the court shall make an inquiry and shall, after taking an account of the transactions between the parties, pass an order declaring the amount, if any, still payable by the debtor to the money-lender, in respect of the principal and interest, taking accounts under this section the court shall follow IP visions of sections 22 to 33 and section 36.

35. Deposit In court of money due to money-lender -- (1) At any time debtor may tender to a money-lender any sum of money due from to the money-lender in respect of a loan by way of principal, interest or both or may remit to him such sum of money by money-order.

(2) If the money-lender refuses to accept any sum so tendered or remitted, the debtor may deposit the said sum in court to the account of the money-lender.

(3) The court shall thereupon cause written notice of the deposit to be served on the money-lender, and he may, on presenting a petition, verified in the manner provided for the verification of a plaint and stating the sum then due in respect of the loan and his willingness to accept the money so deposited, receive the same and appropriate it first towards the interest and the residue, if any, towards the principal: Provided that in accepting any sum deposited under this section, the moneylender shall not be bound by any statement made by the debtor while depositing the same.

(4) A deposit made under sub-section (2) shall operate as an acquaintance for the amount so deposited in the same manner and to the same extent as if that amount had been received by the money-lender to whose Credit the deposit was made, on the date of such deposit.

36. When interest to be paid for entire month.—Notwithstanding any agreement between the parties or any law for the time being in force, when a statement is delivered or pass book is supplied to a debtor under section 22 or if accounts are taken under section 34 or a tender or remittance is made by a debtor to a money lender in respect of a loan under section 35 before the tenth day of a calendar month, the interest due shall be calculated as payable for fifteen days of the said month and if the statement is delivered or pass book is supplied or accounts are taken or tender or remittance is made on any subsequent day, then for the entire calendar month irrespective of the fact that such statement is delivered or pass book is supplied or such accounts are taken or such tender or remittance is made on any such day.

37. Money-lenders to exhibit their names over shops --Every money lender 38 Rajasthan Money Lenders Act, 1963 shall always keep exhibited over his shop or place of business, in Hindi written in Devnagri script his name with the word 'money-lender' and the number of his licence.

38. Entry of wrong sum in bound etc. to be an offence. -No money lender shall take any promissory note, acknowledgement, bond or other writing which does not state the actual amount of the loan or which states such amount wrong!; or take from any debtor any instrument in which blanks are left to be filled after execution.

(2) Whoever contravenes the provisions of sub-section (1) shall, on conviction, be punishable with fine which may extend to one thousand rupees or with imprisonment of either description which may extend to six months or with both.

39. Penalty for molestation—Whoever molests, or abets the molestation of a debtor for the recovery of a debt due by him to a creditor shall, on conviction, be punishable with imprisonment of either description which may extend to three months or with fine which may extend to five hundred rupees or with both.

[6][40. Punishment for contravention of sections 5,sub-sections(1),(2),(3)of section 22, sections 23, 29, 30 and 37.— Whoever fails to comply with, or acts in contravention of, any provision contained in sections 5,sub-sections(1),(2),(3)of section 22, sections 23, 29, 30 and 37 shall be liable —

(a) for the first contravention, to a penalty which may extend to twenty-five thousand rupees, subject to rules as may be prescribed,

(b) for the second or subsequent contravention, to a penalty which may extend to fifty thousand rupees, subject to rules as may be prescribed.]

41. Offences by corporation etc.—If the person contravening any of the provisions of this Act is an undivided Hindu family or a company or an unincorporated body, the person responsible for the management of the business of such family, company or body shall be deemed to be guilty of such contravention.

[6][42.Cognizance of certain offence.—No court shall take cognizance of any offence punishable under this Act except on a complaint made by the Registrar.]

43.Compounding of offences.—(1) The offences punishable under various sections specified in the first two columns of the table next following may be compounded by the persons mentioned in the third column of that table:—

Offence	Section applicable	Person by whom offence may be compounded
Receiving payment without a receipt or accepting any article as pawn or pledge or security for a loan without giving a plain signed receipt.	22 (4) and (5)	The debtor by whom or on whose behalf payment is made or by whom the article is pawned, pledged or given as security.
Charging or receiving interest at a rate exceeding the maximum rates fixed under sub-section (1) of section 29	29	The debtor from whom the interest is charged or received. The debtor from whom any

Charging any sum for expenses on loan by money-lenders.	30	sum for expenses on loan is charged.
Entering of wrong sum in bond etc.	38	The debtor from whom the document is taken.
Molestation	39	The person molested or the molestation of whom was abetted.

[6][(2) The Registrar may, either before or after the institution of proceedings for any offence punishable under sub-section (4) or sub-section (5) of section 22, section 29, section 38 and section 39, accept amount from any person charged with such offence by way of composition of offence committed.]

44. Arrest and imprisonment in execution of decree for money against agricultural debtors abolished.—Notwithstanding any taw for the time being in force, no debtor who cultivates land personally and whose debts do not exceed fifteen thousand rupees shall be arrested or imprisoned in execution of a decree for money passed in favour of a money-lender, whether before or after the date on which this Act comes into force.

45. Every officer to be public servant.-Every officer of the State Government acting under the provisions of this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code,1860 (Central Act XLV of 1860).

46. Protection to persons acting under this Act.-No suit prosecution or proceeding shall lie against any officer for anything which is In good faith done or intended to be done under this Act.

47. Provisions of Rajasthan Act 28 of 1957 saved.—Nothing in the Act shall affect any of the provisions of the Rajasthan Relief of Agricultural Indebtedness Act, 1957 (Rajasthan Act 28 of 1957), and no court shall entertain or proceed under this Act with any suit or proceeding relating to any loan in respect of which proceedings can be taken under the said Act.

48. Power to make rules.—(1) The State Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing provisions, such rules may provide for all or any of the following matters:-

(a) the form of the register under section 4;

(b) the form of the application for a licence, Use further particulars to be included therein and the manner of payment of licence fee under section 6;

(c) form of application for renewal of licence and further particulars to be included therein;

[6] Amended by Rajasthan Jan Vishwas Act,2026

(d) the manner in which a duplicate licence may be obtained and the fee to be paid under sub-section (8) of section 6;

(e) the form of the application and the fee to be paid under the provision of proviso to sub-section (1) of section 8;

(f) the form and conditions of the licence, the manner of payment of licence fee and the manner of inquiry under section 7;

(g) the form of the application and the particulars to be contained therein, and the form of the declaration, to be presented under section 21;

(h) the form of each book and ledger and the manner in which they should be maintained under sub-section (1) and the other particulars to be; prescribed under sub-section (5) of section 22;

(i) the manner and form in which .statement under sub-section (1) of section 22 may be delivered to the Assistant Registrar and further particular to be indicated therein;

(j) the form of pass-book to be supplied by the money-lender under the proviso to part (i) of clause (a) of sub-section (2) of section 22;

(k) the form of the statement of accounts to be furnished and the date before winch it is to be furnished under sub-section (1) and the sum of expenses to be paid under sub-section (3) section 23;

(l) the rates at which and the manner in which fees may be recovered under section 24;

(m) the form of application and the fee to be paid under sub-section (1) of section 34;

(n) the rates at which and the manner in which fees may be paid for the supply by the Assistant Registrar, Registrar or Registrar General of copies of documents in the record of any application, inquiry or appeal under this Act, and the persons lo whom such copies may be supplied,

(o) any other matter which is required to be or may be prescribed under this Act or any matter for which there is no provision or insufficient provision in this Act and for which Provision is, in the opinion of the State Government, necessary for giving effect to the provisions of this Act.

(3) The rules made under this section shall, subject to the condition of previous publication, be published in the Official Gazette.

(4) All rules finally made under this Act shall be laid as soon as may be after they are so made, before the House of the State Legislature, while it is in session, for a period of not less than fourteen days which may be comprised in one session or in two successive sessions and, if, before the expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature make any modification in any of such rules or resolves that any such rule should not be made, such rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or announcement shall be without prejudice to the validity of anything previously done thereunder,

49. Repeal.—Upon the commencement of this Act, all corresponding laws in force in any part of the State shall stand repealed: Provided that such repeal shall not effect —

(a) the previous operation of any Act so repealed or anything duly done or suffered thereunder; or

(b) any right, privilege obligation or liability incurred under any Act so repealed; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any Act so repealed; or

(d) any investigation, legal proceedings or remedy in respect of any such right. privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

(e) and any such investigation, legal proceeding or remedy may be instituted continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if it is Act had not been passed:

Provided further that, subject to the preceding proviso, anything done or any action taken (including rules, delegations and authorizations made registers maintained, registration certificates and licenses granted and notifications issued) under a provision of any Act so repealed shall, in so far as it is not inconsistent with any provision of this Act, be deemed to have been done or taken under the corresponding provision of this Act, and shall continue to be in force accordingly, unless and until altered, amended or superseded by anything done or any action taken under this Act.

THE SCHEDULE

(See section 8)

Any offence punishable under any of the following section Indian Penal Code, 1860 (Central Act XLV of 1860), namely:—

Sections 379 to 382, 384 to 389, 392 to 404, 406, 411 to 414, 417 to 424, 450 (with intent to commit theft) 455, 457 (with intent to commit theft 458 to 462, 465, 477 and 477A

APPENDIX A

Fees

Description of document Or matter 1	Amount of fees 2	Mode of payment of fees 3
Licence fee under section 6(4) of the Act		
1. Licence fee for single place.	Rs.15/-	Cash
2, Licence fee for more than one place	Additional fee of Rs. 6/-per additional place	Cash
3. Renewal fee u/section 6 (6) when made in time Late renewal	Same as above Double the fee	Cash Cash
3 A. Duplicate licence fee	Rs.10/-	Cash
4. Fee for supply of statement by the debtor u/s 23 (2) (See rule 18 (4))	Rs.00.50 nP.	Cash

5. Expenses payable by the debtor to the Money lender for copies 100	Rs.00.05	Cash
words or part 100 words or part (for tabular Statement) *Cost of the paper*	Rs.00.13 Rs.00.02	Cash Each paper, Cash
6. Fee for .supply of Statement or copies under section 22(2) or 23(i)	Rs.00.12	Each statement, Cash
7. Fee for each pass book containing not less than 8 pages supplied under Section 22 (2) or 23 (i).	Rs.00.50	Each-cash
8. Fee for application made by the debtor for taking of accounts from the M. L. under Section 34.	Rs.1.00	Stamp
9. Fee for appeal under & section 8(3), 9 (3) and 13(5).	Rs.2.00	Stamp
10.Fee for revision before the High Court Valuation up to Rs. 1000/- *Exceeding Rs. 1000/-*	Rs.5.00 Rs.10.00	Stamp of court fee Stamp of court fee
11. Miscellaneous applications in any office or court under this Act which is cot a High Court. *Before the High Court.*	Rs.00.50 Rs.2.00	Stamp of court fee Stamp of court fee
12. Fees for supply of copies to a person from the Assistant Registrar, Registrar and the Registrar general or officer under the	Rs.00.05	For 25 words or part

Act. (Rule 23) *(i) For copies*		payable in cash
(ii) For certified copies.	Same rate as given above plus Rs.00.50 per hundred words as comparing fee. Payable in cash	
(iii) Copies in tabular form.	Double the rate as given above	
(iv)Search fee of the documents.	Rs.1.00	For each year of search, payable in cash
13.Appeal from an order— before the High Court. before other courts.	Rs.10.00 Rs.1.00	Stamp of court fee Stamp of court fee
14. Vakalatnama. before the High Court. before other courts.	Rs.2.00 Rs.00.50	Stamp of court fee Stamp of court fee
15.Petition before the High Court under Art 226 and 227.	Rs.25.00	Stamp of court fee

APPENDIX B

Limitation of time under the Act

1. Application for grant of a licence by a money lender on commencement of the Act.	Six months	From the date this Act come into force i.e. 1-10-1966
2. Application by a new money lender who starts business after the commencement of this Act.	Immediately	Before such date when such moneylender commences the business of advancing loans.

3. Application for renewal of existing licenses.	2 months	Before the date when such licence expires.
4. Appeal against the order under section 8 (3), 9 (3) and 13 (5) of the Act,	60 days	From the date such order is communicated to the appellant.
5. Appeal against the order of the competent court to the High Court under section 17(4).	90 days	Passed by the competent court.
6. Any revision before the High Court.	90 days	From the date such order, sought to be revised, is passed.
7. Quarterly statements to be supplied by the money lender to the debtor under section 22 (2A i).	3 months	From the date the loan to such debtor is advanced by the Ml.
8. Copy of the quarterly statement which is supplied to the debtor by the money lender is to be delivered to the Assistant Registrar also under sec. 22 (2A ii).	3 months	Same as above.
9. Statement by specified class of M.L. under section 22(3).	30 days	From the date of the expiry of such quarterly period.
10. Annual statement of such account delivered by M. L. to the debtor under section 23(i) and rule 18(i)	2 months	From the close of the year
11. Copy of such annual statement to be delivered to the Assistant Registrar by the M.L.23 (1).	2 Months	Same as above

12. Application for recording change in nature and constitution of the money lender's concern. A. Introducing or terminating any partner in the concern (Rule 6). B. or appointing new manager of the concern-Rule 6.	7 days 7 days	From the date such change commences. From the date such change in management commences.
13. Change in address of the business concern-(Rule 7).	7 days	From the date such change of address commences

APPENDIX C
THE SCHEDULE
(See section 8)

Any offence punishable under of the following sections of the Indian Penal Code, 1960 (Central Act XLV of 1860) namely:-

Section 379 to 382, 384 to 389, 392 to 404, 406, 411 to 414, 417 to 421, 450 (With intent to commit theft), 455, 457 (With intent to commit theft) 458 to 462, 465 to 477-A

CHAPTER XVII-OFFENCES AGAINST PROPERTY.

Section of I.P.C 1	Scheduled Offence specified in the M.L. Act, 1964 2	Whether the police may arrest without warrant or not. 3	Whether a warrant or a summon shall ordinarily issue in the first instance. 4	Whether bailable or not 5	Whether Compoundable or not. 6	Punishment under the Indian Penal Code. 7	By what Court triable 8
379	Theft	May	Warrant	Not	Compoundable	Imprisonment	Any

		arrest without warranty		bailable	when the value of the property does not exceed two hundred and fifty rupees and permission is given by the Court before which the prose-cution is pending.	of either description for 3 years or fine or both.	Megistrate
380	Theft in a building tent or vessel.	Ditto	Ditto	Ditto	(Not compoundable)	Imprisonment of either description for 7 years and fine.	Ditto
381	Theft by clerk or servant of property in possession of master or employer	Ditto	Ditto	Ditto	Same as section 379	Ditto	Court of session Presidency magistrate of the first or second class.
382.	Theft preparation having been made for causing death, or hurt, or restraint, in order to the committing of such theft, or to retiring after	Ditto	Ditto	Ditto	(Not compoundable)	Rigorous imprisonment for 10 years, and fine	Court of session Presidency Magistrate or magistrate of first class.

	committing it, or to retaining property taken by it.						
Of Extortion							
384.	Extortion	Shall not arrest without warrant.	Warrant	bailable	(Not Compoundable).	Imprisonment of either description for 3 years, or fine or both.	Court or session Presidency Magistrate of the first or second class.
385	Putting or attempting to put in fear of injury, in order to commit extortion.	Ditto	Ditto	Ditto	Ditto	Imprisonment of either description for 2 years, or fine, or both.	Ditto
386	Extortion by putting a person in fear of death or grievous hurt.	Ditto	Ditto	Ditto	Not bailable	Imprisonment of either description for 10 years, and fine	Court of session
387	Putting or attempting to put a person in fear of death or grievous hurt in order to commit extortion.	Ditto	Ditto	Ditto	Ditto	Imprisonment of either description for 7 years, and fine	Ditto

388	Extortion by threat of accusation of an offence punishable with death, (Imprisonment for life), or imprisonment for 10 years. If the offence threatened be an unnatural offence	Shall not arrest without warrant Ditto	Warrant Ditto	Bailable Ditto	(Not comoundable) Ditto	Imprisonment of either description for 10 years, and fine (imprisonment for life).	Ditto Ditto
389	Putting a person in fear of accusation of offence punishable with death, (imprisonment for life), or with imprisonment for 10 years in order to commit extortion. If the offence be an	Ditto	Ditto	Ditto	Ditto	Imprisonment of either description for 10 years and fine	Ditto

	unnatural offence	Ditto	Ditto	Ditto	Ditto	(Imprisonment for life).	Ditto

Of Robbery and dacoity

392	Robbery	May arrest without warrant	warrant	Not bailable	Not compoundable	Rigorous imprisonment for 10 years and fine	Court of session Presidency Magistrate or Magistrate of the first class.
393	Attempt to commit robbery	Ditto	Ditto	Ditto	Ditto	Rigorous imprisonment for 14 years and fine	Ditto
394.	Person voluntarily causing hurt in committing or attempting to commit robbery or any other person jointly concerned in such robbery.	Ditto	Ditto	Ditto	Ditto	(Imprisonmen t for life) or rigorous imprisonment for 10 years and fine.	Ditto

395.	Dacoity	Ditto	Ditto	Ditto	Ditto	Ditto	Court of session
396.	Murder in dacoity	May arrest without warrant,	Warrant	Not Bailable	Not compoundable	Death (Imprisonment for life),or rigorous imprisonment for 10 years and fine.	Ditto
397.	Robbery or dacoity with attempt to cause death or grievous hurt.	Ditto	Ditto	Ditto	Ditto	Rigorous imprisonment for not less than 7 years	Ditto
398.	Attempt to commit robbery and dacoity when armed with deadly weapon	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
399.	Making preparation to commit dacoity	Ditto	Ditto	Ditto	Ditto	Rigorous imprisonment for 10 years and fine.	Ditto
400.	Belonging to a gang of persons associated for the	Ditto	Ditto	Ditto	Ditto	(Imprisonmen t for life) or rigorous imprisonment for 10 years	Ditto
	purpose of habitually committing dacoity					and fine.	

401	Belonging to wandering gang of person associated for the purpose of habitually committing theft	Ditto	Ditto	Ditto	Ditto	Rigorous imprisonment for 7 year and fine	Court of session presidency magistrate or magistrate of the first class
402	Being one of five or more person assembled for the purpose of committing dacoity	Ditto	Ditto	Ditto	Ditto	Ditto	Court of session

Of Criminal Misappropriation of Property

403.	Dishonest misappropriation of moveable property or converting it to the one's own	Shall not arrest without warrant	Warrant	Bailable	(Compoundable when permission is given by the Court before which the prosecution is	Imprisonment of either description for 2 years or fine or both.	Any magistrate

	use.				pending.		
404.	Dishonest misappropriation of property knowing that it was in possession of a deceased person at his death, and that it has not since been in the possession of any person legally entitled to it.	Shall not arrest without warrant	warrant	Bailable	Not compoundable	Imprisonment of either description for 3 years and fine	Court of session, Presidency Magistrate or magistrate of the first or second class.

of Criminal Breach of Trust

406.	Criminal, breach of trust.	May arrest without warrant	Warrant	Not Bailable	(Compoundabl e when the value of the property does not exceed two hundred and fifty rupees and permission is given by the court before which prosecution is pending).	Imprisonmen t for either description for 3 years or fine or both.	Court of session Presidency Magistrate of Magistrate of the first or second class.

Of the receiving of stolen property

411	Dishonesty receiving stolen property knowing it to be stolen.	May arrest without warrant	Warrant	Not bailable	Not compoundable	Imprisonment of either description for 3 years or fine or both.	Court of session, Presidency Magistrate or Magistrate of the first or second class.
412	Dishonesty receiving stolen property knowing that it was obtained by dacoity	May arrest without warrant	Warrant	Not bailable	Not compoundable	(Imprisonmen t for life or imprisonment for 10 years and fine	Court of session.

413	Habitually dealing in stolen property	Ditto	Ditto	Ditto	Ditto	(Imprisonmen t for life or imprisonment of either description for 10 years and fine	Ditto
414	Assisting in concealment or disposal of stolen property knowing is to be stolen.	Ditto	Ditto	Ditto	Ditto	Imprisonment of either description for 3 years or fine or both.	Court of session presidency magistrate or magistrate of the first class or second class.

Of checking

417	Cheating	Shall not arrest without warrant	Warrant	Bailable	(Compoundabl e when permission is given by the court before which the prosecution is pending.)	Imprisonmen t of either description for 1 year or fine or both	Presidency Magistrate or Magistrate of the first or second class.
418	Cheating a person whose interest the offender	Ditto	Ditto	Ditto	(Compoundabl e when permission is given by the court before	Imprisonmen t of either description for 3 years or fine or both	Court of session, Presidency Magistrate or

	was bound either by law or by legal contract to protect				which the prosecution is pending.)		Magistrate of the first or second class.
419	Cheating by persontion.	May arrest without warrant	Ditto	Ditto	(Compoundabl e when permission is given by the court before which the prosecution is pending.)	Ditto	Ditto
420	Cheating and thereby dishonesty including delivery of property, or the making alteration or destruction of a valuable security	May arrest without warrant	Warrant	Bailable	(Compoundabl e when permission is given by the court before which the prosecution is pending.)	Imprisonmen t of either description for 7 years and fine.	Court of session Presidency Megistrate or Megistrate of the first class.

of Fraudulent Deeds and Disposition of Property

421	Fraudulent removal or concealment of property, etc. to prevent distribution amongst creditors	Shall not arrest without warrant	Warrant	Bailable	(Compoundabl e when permission is given by the court before which the prosecution is pending.)	Imprisonment of either description for 2 years and fine or both.	Presidency Magistrate or magistrate for the first or second class
422	Fraudulently preventing from his creditors a debt or demand due to the offender.	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
423	Fraudulent execution of deed of transfer containing a false statement of consideration.	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto.

424	Fraudulent removal or concealment of property, of himself, or any other person, or assisting in the doing thereof, or dishonestly releasing any demand of claim in which he is entitled.	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto

Of Criminal Trespass

451	House trespass with intent to commit theft	May arrest without warrant	Warran t	Not Bailable	Not Compoundable	Imprisonme nt of either description for 7 years and fine.	Court of Session, Presidency Magistrate or Magistrate of the first class.
455	Luking house-trespass or house breaking after preparation made for causing hurt,	Ditto	Ditto	Ditto	Ditto	Imprisonme nt of either description for 10 years and fine.	Ditto

	assault etc.						
457	Luking house-trespass or house-breaking by night in order to the commission of an offence of theft.	Ditto	Ditto	Ditto	Ditto	Imprisonment of either description for 14 years and fine.	Ditto
458	Lurking house-trespass or house-breaking by high after preparation made for causing hurt etc.	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
459	Grievous hurt caused whilst committing lurking house-trespass or house breaking	Ditto	Ditto	Ditto	Ditto	Imprisonment for life or imprisonment for either description for 10 years and fine	Court of session
460	Death of grievous hurt caused by one of several persons jointly concerned in house-breaking by night etc.	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto

461	Dishonestly breaking open or unfastening any closed receptacle containing or supposed to contain property.	Ditto	Ditto	Bailable	Ditto	Imprisonment of either description for 2 years or fine or both.	Presidency Magistrate or Magistrate of the first or second class.
462	Being entrusted with any closed receptacle containing or supposed to contain any property and fraudulently opening the same	May arrest without warrant	Warrant	Bailable	Not compoundable	Imprisonment of either description for 3 years or fine or both.	Court of session presidency or Magistrate or Magistrate of the first and second class.

Chapter XVII – Offence Relating to Document to trade or property marks.

465	Forgery	Shall not arrest without warrant	Warrant	Bailable	Not compoundable	Imprisonment of either description for 2 years or fine or both	Court of session, Presidency Magistrate or Magistrate of the first class

477	Fraudulently destroying or defacing or attempting to destroy or deface, or errecting, a will, etc.	Ditto	Ditto	Not Bailable	Ditto	(Imprisonmen t for life or imprisonment of either description for 7 years and fine.	Court of session
477 A	Falsification of accounts	Ditto	Ditto	Bailable	Ditto	Imprisonment of either description for 7 years or fine or both	Court of session, Presidency Magistrate or Magistrate of the first class.