

THE PUNJAB BACKWARD CLASSES (GRANTS OF LOANS)
ACT, 1957.

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THE PUNJAB BACKWARD CLASSES (GRANTS
OF LOANS) ACT, 1957.

Punjab Act No. XVII of 1957.

[Received the assent of the Governor of Punjab on
10th July, 1957, and first published for general informa-
tion in the *Punjab Government Gazette* (Extraordinary)
of the 13th July, 1957.]

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| Year | No. | Short title | Whether repealed or otherwise affected by legislation |
| 1957 | XVII | The Punjab Backward Classes (Grants of Loans) Act, 1957 | Amended by the Punjab Reorganisa- tion (Chandigarh)(Adaptation of Laws on State and Concurrent Subjects) Order, 1968 |

AN

ACT

*to provide for the extension of loan facilities to persons
belonging to Backward Classes in the State of Punjab.*

BE it enacted by the Legislature of the State of Punjab
in the Eighth Year of the Republic of India as follows :—

1. (1) This Act may be called the Punjab Back-
ward Classes (Grant of Loans) Act, 1957.

Short title, exten:
and Commence-
ment.

(2) It extends to the whole of the ²[Union territory
of Chandigarh].

¹For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extra-
ordinary), 1957, page 661.

²Substituted for the words "State of Punjab" by the Punjab Reorganisation
(Chandigarh)(Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires,—

- (a) "Backward Classes" means persons belonging to the Scheduled Castes and Scheduled Tribes as notified in the Scheduled Castes and Scheduled Tribes (Modification) Order, 1956, or other classes of citizens declared by Government to be Backward Classes from time to time ;
- (b) "borrower" means an individual belonging to a backward Class to whom a loan has been granted under this Act ;
- (c) "Controlling Authority" means the authority appointed by the Government by notification in the official Gazette to be competent to sanction a loan under the powers conferred by this Act and to take such steps as are necessary for the enforcement of the provisions of this Act.
- (d) "Government" means the ¹[Central Government].
- (e) "the loan" means interest-free loan granted by the Government to a borrower ;
- (f) "prescribed" means prescribed by rules made under this Act.

Limit of loan.

3. The amount of loan which may be granted to a borrower under this Act shall not exceed two thousand rupees.

¹Substituted for the words "Government of the State of Punjab" by the Punjab Reorganisation (Chandigarh)(Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

4. (1) Any person belonging to the Backward Classes may submit to the Controlling Authority an application in the prescribed form, supported by an affidavit stating the amount of loan desired by him, the purpose for which it is desired and the manner in which the repayment of the loan, if granted to him, is proposed.

Procedure for
sanctioning loans.

(2) The Controlling Authority, if satisfied that the applicant is a person belonging to the Backward Classes, may sanction the loan to the extent of the amount stated in the application or any lesser amount, subject to a maximum of two thousand rupees in each case.

5. (1) When an application for loan has been sanctioned, the applicant shall execute a bond in the prescribed form undertaking to apply the money lent to the purpose or purposes for which, and to fulfil the conditions on which, the loan has been sanctioned.

Security for repay-
ment of loans

(2) For the loan so sanctioned, the applicant shall furnish one surety, and the person and property of the applicant as well as of the surety shall be liable for the repayment of the loan and costs, if any, incurred in making or recovering the loan :

Provided that the Controlling Authority may in any case exempt the applicant from furnishing a surety.

6. When the application for a loan has been sanctioned the applicant shall execute a bond in the prescribed form undertaking to apply the money to the purpose or purposes for which, and to fulfil the conditions on which, the loan is granted and shall undertake that if it is not used for such purposes or if there is any breach of such conditions, the amount of the loan shall be recoverable from him in the prescribed manner.

Agreement to be
executed by
applicant.

7. The loan shall be repayable by the borrower in 20 half-yearly equated instalments :

Loan how
repayable.

Provided that the repayment of instalments shall commence on the expiry of four years from the date of payment of the loan.

Inspection and
supply of
information.

8. Any borrower who makes default in the repayment of the loan or any instalments thereof shall be bound—

(a) to comply with any general or special order of the Controlling Authority relating to the inspection of the premises, buildings, machinery and stock in hand purchased or hired by the borrower with the aid of the loan granted to him ; and

(b) to furnish any information which the Controlling Authority may require in respect of the purpose or purposes for which the loan was granted or of the manner in which the loan has been or is being utilised.

Consequences
of failure by
borrower to
comply with an
order made or
to furnish
information
required under
section 8.

9. If the borrower fails without reasonable cause—

(i) to comply with any order made or to furnish information required under section 8, or

(ii) if the Controlling Authority, after inspection provided for in section 8 or otherwise, is satisfied that the money lent is not being applied to the purpose or purposes for which it was lent or that any condition on which it was granted is not being duly fulfilled, the Controlling Authority may declare, notwithstanding anything contained in the bond executed by the borrower, that the loan shall be immediately recoverable and shall give notice of such declaration to the borrower.

Appeal.

10. Within six weeks of the receipt of the notice under section 9, the borrower may appeal against the declaration of the Controlling Authority to the Government, and the decision of the Government thereon shall be final.

Mode of recovery.

11. (1) When the loan or an instalment thereof falls due and is not paid on or before the due date, or when the loan has been declared immediately recoverable

under section 9, and subject to the order made on appeal under the preceding section, the Controlling Authority may cause to be served on the borrower, a notice calling upon him to pay the sums due within such time and to such officer as may be fixed therein.

(2) In case of default in complying with such notice, the sums specified in the notice including costs, if any incurred by the Government may be realized as arrears of land revenue.

12. The decision of the Government as to whether the conditions laid down in or under any of the provisions of this Act have been satisfied shall be final, and no suits shall be brought in any civil court to set aside or modify any order made thereunder, nor shall the same be questioned by any court of law in any proceedings whatsoever.

Finality of decision of Government.

13. No prosecution, suit or other proceedings shall lie against the Government or any officer or authority vested with powers under this Act for anything in good faith done or intended to be done thereunder.

Legal proceeding

14. (1) The Government may make rules consistent with this Act for the carrying out of all or any of its purposes.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, the Government may make rules regulating or determining all or any of the following matters, namely :—

- (i) the forms of the applications to be made and deeds to be executed in respect of loans ;
- (ii) the mode in which payment of loans is to be made to borrowers ;
- (iii) the forms of notices to be given or declarations to be made by the Controlling Authority; and
- (iv) the purposes for which loans may be sanctioned under this Act.