

**THE TRIPURA AGRICULTURAL
INDEBTEDNESS
RELIEF RULES, 1980**

**Government of Tripura
Revenue Department**

No. F.106(1)- REV/76(P)
1980

Dated, Agartala, the 25th October,

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of Section 17 of the Tripura Agricultural Indebtedness Relief Act, 1979 (No. 8 of 1980), the State Government hereby makes the following rules, namely :-

1. Short title & commencement :

- (1) These rules may be called the Tripura Agricultural Indebtedness Relief Rules, 1980.
- (2) They shall come into force on and from the date of their publication in the Official Gazette.

2. Definition :

In this rules, unless the context otherwise requires—

- (a) 'Act' means the Tripura Agricultural Indebtedness Relief Act, 1979 (No.8 of 1980);
- (b) 'Form' means a form appended to these rules;
- (c) 'Schedule' means the schedule appended to these rules;
- (d) 'Section' means a section of the Act.

3. Filling of statement and application :

(1) Every statement referred to in Sub-section (1) of Section 4 shall be in form 1 and shall be furnished to the Tribunal within two months from the date of publication of these Rules in Tripura Gazette in triplicate either in person or by an agent or by registered post with acknowledgement due.

- (2) The Tribunal shall, on receipt of such statement, return one copy thereof to

the creditor with an endorsement acknowledging its receipt.

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(3) An application under sub-section (2) of section 4 or sub-section (1) of section 5 shall be filed separately in respect of each creditor and shall be in triplicate.

4. Procedure to be followed by the Tribunal in inquiries :

(1) One receipt of a statement referred to in sub-section (1) of section 4 or an application under sub-section (2) of section 4 or sub-section (1) of section 5, the Tribunal shall fix the date on which and the place and the time at which an inquiry in respect of the statement or the application will be heard and shall issue notice thereof to the creditor and the debtor mentioned in the statement or the application, as the case may be.

(2) The notice referred to in sub-rule (1) shall be in form 2 and shall be accompanied by a copy of the statement or the application, as the case may be.

(3) The notice referred to in sub-rule (1) shall be served by delivering or tendering it to the party concerned, or to his agent, or to any adult member of his family, or where none of the above courses is practicable, by affixing it at the last known place of his residence, or by registered post with acknowledgement due.

(4) On the date fixed for the inquiry under sub-rule (1) or on such subsequent date or dates to which the enquiry may be adjourned, the Tribunal shall give a reasonable opportunity to the parties to state their case and to adduce such evidences both oral and documentary, as may be necessary, in support thereof, and shall thereupon pass such orders or grant such certificate under the Act as it deems fit.

(5) Every order or certificate referred to in sub-rule (4) shall be passed or granted by the Tribunal :—

that (a) On any date to which the proceedings may have been adjourned, or if be not practicable.

(b) On any other date in respect of which a notice has been given to the parties.

(6) The notice referred to in sub-rule (5) shall be in writing and shall be served on party in person, or on his agent or shall be sent to him by registered post with acknowledgement due.

(7) The order referred to in sub-clause (i) of clause (b) of sub-section (5) of section 4 shall be in Form 3.

(8) The certificate referred to in sub-clause (i) of clause (b) of sub-section (5) of section 4 shall be in Form 4.

(9) The certificate referred to in clause (a) of sub-section (2) of section 5 shall be in Form 5 and shall be issued soon after expiry of the period of appeals against the order passed under clause (a) and in a case where an appeal is filed, as soon as the appeal is disposed of.

5. Appeals :

(1) Every appeal under section 6 shall be in writing and shall set forth concisely the grounds thereof and shall be presented either in person or by agent or may be sent by registered post with acknowledgement due to the Appellate Tribunal.

(2) Every such appeal shall bear a court fee label Rs. 5/-(five) and shall also bear a court fee label or labels of the value calculated in accordance with the scale specified in the Schedule towards the process fee for the service of notice on the respondent or respondents and shall be accompanied by the original or an authenticated copy of the order of the Tribunal appealed against.

(3) On receipt of appeal under section 6, the Appellate Tribunal shall fix a date on which and the time and the place at which the appeal shall be heard and shall issue a notice thereof to the appellant or appellants and to the respondent or respondents mentioned in the appeal.

Provided that such notice need not be issued to the appellant if the place, date and time fixed for hearing of the appeal had been intimated to the appellant or to his agent at the time of presentation of the appeal.

(4) The notice referred to in sub-rule (3) shall be in Form 6 and in the case of a notice to the respondent that shall be accompanied by a copy of the appeal.

(5) The notice referred to in sub-rule (3) shall be served in the same manner as the notice referred to in sub-rule (3) of rule 4.

(6) On the date fixed for the hearing of the appeal under sub-rule (3) or on such further date or dates to which the hearing may be adjourned, the appellate Tribunal shall give a reasonable opportunity to the parties to state their case and adduce such evidence both oral and documentary, as may be necessary in support of their claim and also to advance their arguments and shall thereupon pass such orders as it deems fit.

(7) If, on hearing the appeal, the Appellate Tribunal considers that any further inquiry is necessary, it may itself make such inquiry or cause it to be made by any officer subordinate to it not lower in rank than a Deputy Collector specifying the points on which such inquiry is necessary ;

(8) Every order passed by the Appellate Tribunal shall be pronounced in open court.
that

(a) on any date to which the proceedings may have been adjourned or if be not practicable;

(b) on any other date in respect of which notice has been given to the parties.

(9) The notice referred to in sub-rule (8) shall be in writing and shall be served in the same manner as the notice referred to in sub-rule (6) of rule 4.

(10) The Appellate Tribunal may, pending disposal of the appeal, stay the orders of the Tribunal, appealed against.

SCHEDULE
(See Rule 5(2))

	Rates of process fee Name of process.	Fee amount payable Rs. P.
1.	Summons for each respondent or witness served by an Officer of the Court.	2.00
2.	On every additional respondent or witness residing in the same village, if process is applied for at the same time.	1.00

TAIR FORM 1
(See rule 3)

Statement showing the particulars of movable property pledged.

Under sub-section (1) of section 4 of the Tripura Agricultural Indebtedness Relief Act, 1980, I, Shri
 S/o. of village
 P.O. District...
 hereby furnish below the particulars of the movable property pledged with me by the debtors :—

Sl. No.	Name(s) with parentage of Debtors.	Address of the Debtor(s).	Nature and description of Property pledged.
1	2	3	4

Amount advanced	Repayments made			Amount due as on
Date	Amount	Date	Principal	Interest
31.3.79				

5	6	7	8	9
10				
Rate of interest		Special conditions, if any,		

Remarks.

imposed for repayment.

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TAIR FORM 2
(See Rule 4(2))
NOTICE

To

.....

Whereas a statement/ an application has been filed by.....
 S/O. W/O.
resident of village.....P.O.....
 District.....under section..... of
 the Tripura Agricultural Indebtedness Relief Act, 1980.

6

You are hereby requested to file..... within a period of
 ten days from the date of receipt of this notice, objection, if any, to the said statement/ application
 ;

And to appear before the undersigned on..... (date)
 at(place) at(time) for making any
 representation in respect of your case and for adducing such evidence in support thereof, as may
 be necessary, failing which the matter will be decided experte on the basis of the material available.

Tribunal.

(Relevant copy of the statement/application is enclosed).

TAIR FORM 3
[See Rule 4 (7)]
ORDER

Whereas it has been brought to the notice of this Tribunal that the movable property, the
 particulars of which are furnished in the statement below and pledged with
 Shri..... (creditor).....
 S/o. residing at.....(village) P.O.
 District.....is in possession of (name of
 bank) under a pledge for a sum of Rs.....(Rupees..... (only).

Now, therefore, under sub-clause (i) of clause (b) of -section (5) of section 4 of the
 Tripura Agricultural Indebtedness Relief Act, 1980, the said.....(bank) is directed
 to deposit the said movable property with this Tribunal together with a statement in form given
 below, on or before.....(date).

Name and address	Particulars of	Amount due	Remarks
of the debtor to whom the property belongs	the movable property	to bank.	

1
4

2

3

TAIR FORM 4
[See Rule 4 (8)]
CERTIFICATE.

It is hereby certified under sub-clause (i) of clause (b) of sub-section (5) of section 4 of the Tripura Agricultural Indebtedness Relief Act, 1980 that the amount of Rs..... (Rupees.....) due to theBank in respect of the movable property (the Particulars of which are furnished in the statement below) shall be recovered from(name of the creditor) S/O. ofresiding at village) P.O..... District..... as it were an arrear of land revenue and paid to the(bank).

Statement.

Name and address of the debtor whose movable property is pledged by the creditor.	Particulars of the movable property.	Amount due to the bank.	Remarks.
1	2	3	4

TAIR FORM 5
[See rule 4(9)]
CERTIFICATE OF REDEMPTION

Under clause (a) of sub-section (2) of section 5 of the Tripura Agricultural Indebtedness Relief Act, 1980 the property (particulars of which are furnished below) mortgaged by(name of the debtor) S/O of residing at (village P.O. District.....in favour of(name of the creditor) S/O of residing at (village) P.O..... District.....and released from the mortgage by order dated.....are certified to be redeemed to the debtor.

S.I. No.	Name of village.	Khaitian No.	Plot No.	Area.	Remarks.
1	2	3	4	5	6

Tribunal.

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TAIR FORM 6
[See rule 5(4)]
NOTICE

Whereas Shri.....(appellant)
S/W of residing at
(village) P.O.District.....
has filed an appeal under section 6 of the Tripura Agricultural Indebtedness Relief Act,
1980 against the Order No.....Dated
of theTribunal.

You are hereby requested to appear before the undersigned.....
on (date) at.....
(place) at.....(time) for making representation, if any, in respect of your case
failing which the matter will be decided exparte.

Appellate Tribunal
By order of the Governor,

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