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# **DISPLACED PERSONS (DEBTS ADJUSTMENT) RULES, 1951**

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# **SCHEDULE 1:-** SCHEDULE

# **DISPLACED PERSONS (DEBTS ADJUSTMENT) RULES, 1951**

S. R. O.53, dated the 8th January, 1952. In exercise of the powers conferred by Sec. 57 of the Displaced Persons (Debts Adjustment) Act, 1951 (70 of 1951), the Central Government hereby makes the following Rules, namely:

#### 1. Short title :-

These rules may be called the Displaced Persons (Debts Adjustment) Rules, 1951.

## 2. Definitions :-

In these rules, unless the context otherwise requires,

- (a) "form" means a form in the Schedule to these rules;
- (b) "section" means a section of the Act;
- (c) "the Act" means the Displaced Persons (Debts Adjustment) Act, 1951.

#### 3. Additional particulars to be given in an application under Sec. 5. :-

Besides the particulars specified in sub-section (2) of Sec. 5 an application under sub-section (1) of that section shall contain the following additional particulars, namely

- (a) where the applicant or respondant is a minor or a person of unsound mind, a statement to that effect;
- (b) a statement of any fact or circumstance which in the opinion of the applicant should be taken into account by the Tribunal in the adjustment of the debts.

# 4. Form of notice under Sec. 5 :-

The notice referred to in Sec. 5 shall be in Form A.

# 5. Form and contents of application under Sec. 10 :-

Every application by a displaced person under Sec. 10 shall be as nearly as may be, in the form of a plaint in a suit under the Code of Civil Procedure, 1908 (Act 5 of 1908), and shall contain the following particulars, namely

- (a) the name of the Tribunal to which the application is made;
- (b) the name, description and place of residence of the displaced debtor against whom the application is made;
- (c) where the applicant or the respondent is a minor or a person of unsound mind, a statement to that effect;
- (d) the amount of the debts due from the displaced debtor and full particulars relating thereto;
- (e) a statement of any such fact or circumstance as may in his opinion be helpful to the Tribunal in the determination of the application.

# 6. Form of notice under Sec. 11 :-

The notice referred to in Sec. 11 shall be in form B.

### 7. Form and contents of application under Sec. 13:-

Every application by a displaced creditor under Sec. 13 against a person who is not a displaced debtor shall be, as nearly as may be, in the form of a plaint in a suit under the Code of Civil Procedure, 1908 (Act 5 of 1908), and shall contain the following particulars, namely

- (a) the name of the Tribunal to which the application is made;
- (b) the name, description and place of residence of the applicant;
- (c) the name, description and place of residence of the respondent;
- (d) where the applicant or respondent is a minor or a person of unsound mind, a statement to that effect;

- (e) the amount of debts due from the displaced debtor and full particulars relating thereto, and
- (f) a statement of any such fact or circumstance as in the opinion of the applicant, may be helpful to the Tribunal in the determination of the application.

# 8. Form of notice under Sec. 14:-

The notice referred to in Sec. 14 shall be in Form C.

### 8A. Authority under Sec. 52 :-

- 1 The authority for the purpose of Sec. 52 of the Act shall be the Chief Settlement Commissioner, Ministry of Rehabiliation, New Delhi.]
- 1. Ins. by S.R.O. 1967, dated 15th November, 1952.

### 9. Registers :-

The following registers shall be maintained by every Tribunal, namely

- (a) a separate register in Form D of applications under each of the Sees. 5, 10, 13 and 18; and
- (b) a register in Form E of notices referred to in rules 4, 6 and 8.

SCHEDULE 1

FORM D															
Regist	er of Applicati	ons													
(See r	ule 9)														
1	2	3	4	5	6	7	8	9	10			11		12	
Serial	Date	Name	Name	Section of	Amount of debt	Number of	Date of	Amount for	Modification of the,			Exe	cutio	on Date	
No.	of	and	and	the Act	for which adjustment	hearing in	passing	which degree	decree on appeal						Despato
	Presentation	Address	address	under Which	is sought or in the case	the suit and	final order	has been							recrod 1
		of person	of	application	of creditor, amount	duration of		passed	review, etc.						the record-
		making	respondnets	made	claimed	hearing									keeper
		application													
									(a)	(b)	(c)	(a)	(b)	(C)	
									date	Name of the					
										order and Court					
										by which order					
										passed					