

*THE KERALA MONEY-LENDERS RULES, 1964

In exercise of the powers conferred by Section 21 of the Kerala Money-Lenders Act, 1958 (Act 35 of 1958) and in supersession of the rules issued under Notification No. 8045/59/LA4 dated 13/10/1959 published in the Gazette dated 03/11/1959 the Government of Kerala hereby make the following Rules, namely:—

RULES

1. Short title.— These Rules may be called the Kerala Money-Lenders Rules, 1964.

2. Definitions.— In these rules—

- (a) "the Act" means the Kerala Money-Lenders Act, 1958;
- (b) "form" means a form appended to the Rules; and
- (c) "section" means a section of the Act.

3. Application for licence.— (1) An application for the money-lender's licence shall be made to the licensing authority in Form "A".

(2) The fee for the application for licence shall be ¹[five thousand rupees.]

(3) The application for licence shall be accompanied by proof of payment of the fee of ²[five thousand rupees] into the Government Treasury ³[and a declaration in Form AAA.]

4[3A. Payment of Security.— (1) The security referred to in sub-section (2A) of Section 4 of the Act shall be deposited in the Government Treasury in anyone of the following manner, namely:—

- (a) by depositing the said sum in the Treasury Savings Bank and pledging the Pass Book to, and depositing it with, the licensing authority;
- (b) by depositing the said sum in fixed deposit in the Government Treasury and pledging the receipt to, and depositing it with, the licensing authority.

(2) The security shall be deposited at any time before the grant of licence as may be fixed by the licensing authority.

4. Application for renewal of licence.— (1) The application for renewal of licence

* Published under Notification No. 38051/A4/63/ID dt. 21/03/1964 in K. G. Ext. No. 63 dt. 31/03/1964.

1. Substituted by G. O. (P) No. 138/2002 dt. 16/09/2002, published as SRO No. 746/2002 dt. 20/09/2002 in K. G. Ext. No. 1372 dt. 20/09/2002 for the words "ten thousand rupees".

2. Substituted by G. O. (P) No. 138/2002/TD dt. 16/09/2002, published as SRO No. 746/2002 in K. G. Ext. No. 1372 dt. 20/09/2002 for the words "ten thousand rupees".

3. Added by SRO No. 35/84, published in K. G. Ext. No. 38 dt. 11/01/1984.

4. Inserted by SRO No. 35/84, published in K. G. Ext. No. 38 dt. 11/01/1984.

under sub-section (6) of Section 4 shall be submitted in ⁵[Form AA] so as to reach the licensing authority not later than the first day of May of the year for which the renewal is required and shall be, accompanied by proof of payment of the prescribed fee into the Government Treasury.

⁶[(1A) In the case of a person who was a licensee only for a portion of the preceding year a declaration in Form AAA shall also be submitted along with the application].

(2) The fee for the renewal of licence shall be ⁷[rupees one thousand.]

(3) If an application for renewal of licence is received after the date prescribed therefore, the licence shall not ordinarily be renewed from a date prior to the date of receipt of the application;

Provided that the licensing authority may renew the licence with retrospective effect on the applicant paying a penalty not exceeding the licence fee.

⁸[(4) If the security already furnished for the previous year falls short of the amount due under sub-section (2A) of Section 4, the balance amount shall be deposited in the same manner as provided in sub-rule (1) of Rule 3A at any time before the renewal of the licence as may be fixed by the licensing authority. Where the security so remitted is in excess of what is due under sub-section (2A) of Section (4), the excess amount remitted shall either be released or adjusted against the amount of security proposed to be remitted].

⁹[(5) The surety bond referred to in Clause (e) of sub-section (3) of Section 11A shall be in Form AAAA.]

¹⁰[4A. Duplicate licence.— Where a licence issued is lost or destroyed, a duplicate of the licence shall be issued by the licensing authority on application and on payment of Rs. 10 (Rs. ten only).]

5. Form and conditions of licence.— ¹¹[(1)] Every licence issued under sub-section (2) of Section 4 shall be in Form B and shall be subject to the conditions specified therein.

^{11A}[(2) Every money-lender shall note the licence number assigned to him in all records, receipts, sign boards or advertisement given by him. All advertisements, pamphlets, leaflets or notices issued by the money-lenders shall be in conformity with the provisions of the Act and the Rules made thereunder and every money-lender shall file a copy of such advertisements, pamphlets, leaflets or notices with the Inspector within thirty days from the date of issue of such advertisements, pamphlets, leaflets or notices].

6. Transfer of licence to heir.— (1) An application for the transfer of licence under sub-section (2) of Section 19 shall be in Form C giving full particulars required therein.

(2) The declaration under sub-section (3) of Section 19 shall be in Form D.

5. Substituted by SRO No. 35/84, published in K. G. Ext. No. 38 dt. 11/01/1984.

6. Inserted by SRO No. 35/84, published in K. G. Ext. No. 38 dt. 11/01/1984.

7. Substituted by SRO No. 35/84, published in K. G. Ext. No. 38 dt. 11/01/1984.

8. Inserted by SRO No. 35/84, published in K. G. Ext. No. 38 dt. 11/01/1984.

9. Inserted by SRO No. 1450/87, published in K. G. Ext. No. 894 dt. 07/11/1987.

10. Added by SRO No. 154/77 in K.G. No. 3 dt. 22/02/1977.

11. Renumbered by SRO No. 1450/87, published in K. G. Ext. No. 894 dt. 07/11/1987.

11A. Inserted by SRO No. 1450/87, published in K. G. Ext. No. 894 dt. 07/11/1987.

7. Day Book.— The money-lender other than a pawnbroker shall record, maintain and keep a Day Book giving full particulars of the cash in hand, the cash received each day with particulars of the Source of receipt; the cash spent each day with particulars and the closing balance in hand. The Day Book Account shall be checked and verified and signed each day by the money-lender other than the pawn-broker or his authorised agent. In case the money-lender other than a pawn-broker or his agent is unable to check, verify and sign the accounts on any day as aforesaid, this shall be done not later than the close of the subsequent day.

8. Register showing the account of each debtor.— The register showing the account of each debtor referred to in Clause (a) of sub-section (1) of Section 9 shall be in Form E.

9. Receipts.— Every payment made by or on behalf of a debtor shall be entered in Form E Register and in the Day Book and duly stamped receipt shall be given in Form F.

10. Charges allowed to money-lenders.— A money-lender under this Act may demand and realise from the debtor to whom a loan is advanced by him such incidental charges like the value of revenue or court-fee stamps, registration fee required for executing any document in connection with the advance of such loans and the postal charges incurred for sending notices in connection with the collection of loan.

11. Manner of furnishing statement of account.— (1) The statement of account referred to in Clause (c) of sub-section (1) of Section 9 and Clause (d) of sub-section (1) of Section 9D shall be sent to the debtor/pawner by registered post, acknowledgment due, to the address given in the requisition made by the debtor/pawner.

(2) Notwithstanding anything contained in sub-rule (1), where the debtor/pawner agrees in writing to the statement being delivered personally, it shall not be necessary to send it by registered post.

(3) When a debtor/pawner takes personal delivery of the statement of account, the money-lender shall obtain from the debtor/pawner the acknowledgement of the same in writing signed by the debtor/pawner or if the debtor/pawner is illiterate his thumb impression shall be obtained on the receipts.

(4) If the statement of account is sent by registered post, the postal receipt and acknowledgement shall be sufficient proof of the sending of such statement.

(5) The postal registration and acknowledgement charges incurred under sub-rule (1) shall be entered in the account and shall be recoverable by the money-lender as if such charges were included in the loan, but no interest shall be charged on such charges.

[11A. **Issue of summons.**— An Inspector, licensing Authority or Appellate Authority shall issue summons in Form 'P' for the appearance of any person or for the production of any documents.]

12. Notice to be published.— (1) The notice to be published under Clause (a) to sub-section (1) of Section 9C shall contain the following particulars:

- (i) Name of the pawner.

- (ii) Person with whom pledged.
- (iii) Date of pledging.
- (iv) Description and weight of the pledged property.

(2) The notice shall be published ¹³[x x x x] in the Government Gazette and also in one of the daily news papers having circulation in the area.

13. Period for furnishing the declaration.— The period for furnishing the declaration under Clause (b)(ii) of sub-section (1) of Section 9C shall be three months from the date of receipt of the form by the applicant.

14. Accounts to be maintained.— The pledge book referred to in Clause (a) of sub-section (1) to Section 9D shall be in Form M.

15. Pawn-tickets, sale book, etc.— (1) The pawn-ticket mentioned in sub-section (1)(b) of Section 9D shall be in Form H, the sale book of pledges shall be in Form I, the declaration where pledge is claimed by owner shall be in Form J, the declaration of pawn-ticket lost shall be in Form K and receipt on redemption of pledge shall be in Form L.

(2) The fee which may be charged by a money-lender for the statement of account furnished by him under Clause (c) of sub-section (1) of Section 9 and Clause (d) of sub-section (1) of Section 9D shall be as follows:

	Rs. np.
1. If the amount of the loan does not exceed Rs.50	0. 10
2. If the amount of loan exceeds Rs.50 but does not exceed Rs. 100	0. 20
3. If the amount of loan exceeds Rs.100 but does not exceed Rs.300	0. 30
4. If the amount of loan exceeds Rs.300 but does not exceed Rs.500	0. 40
5. If the amount of loan exceeds Rs.500 but does not exceed Rs.1000	0. 50
6. If the amount of loan exceeds Rs.1000	0. 75

Explanation.— (a) The fee shall be charged separately in respect of each loan. Thus the fee relating to two separate, loans of Rs.120 and Rs.350 will be 70 np.

(b) The fee shall be recoverable by the money-lenders as if were included in the loan but no interest shall be charged on such fee.

¹⁴[(3) (a) Before the 20th day of the succeeding month of every quarter ending on 30th June, 30th September, 31st December and 31st March, every money-lender shall submit to the Inspector a statement in Form 'G' relating to the loans advanced by him and deposits or loans received by him during the preceding quarter.

(b) After the close of the financial year, every money-lender shall also submit to the Inspector a statement in Form 'G' relating to the loans advanced by him and deposits or loans received by him during the financial year along with the audited statements of accounts and balance sheet so as to reach the Inspector on or before the 30th September of the succeeding year:

13. Omitted by SRO No. 137 dt. 26/03/1968.

14. Substituted by G. O. (P) No. 109/87/TD dt. 06/11/1987 as SRO No. 1450/87, published in K. G. Ext. No. 894 dt. 07/11/1987. Prior to the substitution it read as:

"Before the fifth day of October and April of every year, every money-lender shall submit to the Inspector a statement in Form 'G' relating to the loans advanced by him during the period of six months immediately expired."

Provided that the Inspector, may, for sufficient reasons, grant extension of time for filing the return for a period not exceeding three months from the due date fixed.

(c) The balance sheet referred to in Clause (b) above shall be in the form set out in Part I of Schedule VI of the Companies Act, 1956 with suitable variations as circumstances admit or in such other form as may be approved by the State Government.]

(4) All records or entries made in the books, accounts and documents referred to in sub-section (2) of Section 9 and sub-section (1) of Section 9D shall be in Malayalam, Tamil or English for the area excluding Kasargode and in Kanerese or English for Kasargode.

16. Sale of property.— (1) The sale of property under Section 9F shall be conducted by public auction ¹⁵[after giving registered notice with acknowledgement due to the pawner]. The details of the sale such as the nature of the articles to be auctioned, date and place of auction shall be notified to the public at least two weeks before the date of auction by affixing notices to that effect at the business place of the pawnbroker and other public places:

¹⁶[Provided that in the case of ornaments made of a gold of a purity exceeding 14 carats of an estimated total value specified in column (1) of the table below, the auction shall be subject to the general control of and to the confirmation of sale by the authorities specified in the corresponding entries in column (2) thereof:

¹⁷[Provided further that the authorities specified in column (2) of the table below shall not proceed to confirm the sale, unless proof of the payment of the Sales Tax¹⁸ due under the Kerala General Sales Tax Act, 1963 (15 of 1963) on the total value of the gold sold is produced.]

¹⁸[TABLE 4.

<i>Estimated total value</i>	<i>Authorities</i>
(1)	(2)
Does not exceed Rs. 25,000.	Inspector having jurisdiction over the place of business.
Exceed Rs. 25,000 but does not exceed Rs. 1,00,000.	Inspecting Assistant Commissioner of having jurisdiction over the place of business.
Exceeds Rs. 1,00,000 but does not exceed Rs 3,00,000.	Deputy Commissioner having jurisdiction over the place of business.
Exceeds Rs. 3,00,000.	Board of Revenue.]

(2) The amount realised by such sales shall be separately credited to the account of the pawner in the books of accounts of the pawnbroker and an extract of the same showing the balance if any due on the loan or the excess if any due to the pawner after meeting the loan shall be furnished to the pawner within one week of the date of sale.

16A. Form of authorisation.— (1) The authorisation for entering or search in respect of residential building or premises under the proviso to sub-section (3) of Section 10A shall be in Form 'Q'.

¹⁵ Substituted by notification SRO No. 137 in K.G. No. 15 dt. 09/04/1968, for "after due notice to the pawner".

¹⁶ Proviso added and Table inserted by SRO No. 221/65, dt. 25/05/1965.

¹⁷ Inserted by SRO No. 301/96 published in K. G. No. 13 dt. 26/03/1996.

¹⁸ Table substituted by G. O. (P) No. 24/96/TD dt. 08/02/1996.

¹⁹ Inserted by SRO No. 1450/87, published in K. G. Ext. No. 894 dt. 07/11/1987.

(2) Every authorisation referred to in sub-rule (1) shall be in writing under the signature of the authority issuing it and shall bear the seal of such authority.]

²⁰[17. **Communication of orders, summons, etc.**— Every order, summons or notice required to be served or given to any person under the Act or under these rules shall be communicated to such person in any of the following modes:—

- (a) by sending it by registered post.
- (b) by giving or tendering it to such person.
- (c) if such person is not found, by leaving it at his last known place of business or residence or giving or tendering it to any adult member of his family.
- (d) if none of the aforesaid methods is practicable, by affixing it in some conspicuous place at his last known place of business or residence.]

18. Certificate.— No copy of account shall be admissible in evidence under Clause (c) of sub-section (1) of Section 9 and under Clause (d) of sub-section (1) of Section 9D unless it contains two certificates at the foot, the first by the money-lender himself or his agent and second by some other person who has compared the copy with the original. The certificate of the money-lender or his agent shall be in Form N and that of a person other than the money-lender shall be in Form O.

²¹[18A. **Payment of penalty.**— (1) The penalty payable under Section 18C or Section 18D shall be remitted into the Government Treasury or paid by means of Crossed Demand Draft in favour of the Inspector or the Licensing Authority, as the case may be.

(2) The Inspector or the Licensing Authority imposing the penalty under Section 18C or Section 18D shall serve a notice of demand on the money-lender in Form 'R'. On receipt of the notice, the money-lender shall pay the penalty due in the manner specified in sub-rule (1) on or before the day specified in the notice of demand.]

²²[18B. **Payment of amount forfeited.**— (1) Any sum ordered to be forfeited to the Government by an order issued by the licensing authority under sub-section (1) of Section 18D shall be remitted into the Government Treasury or paid by means of crossed cheque or crossed demand draft in favour of the licensing authority concerned.

(2) The licensing authority ordering forfeiture under sub-section (1) of Section 18D shall serve a notice of demand on the dealer in Form RA. On receipt of the notice, the dealer shall pay the amount due in the manner specified in sub-rule (1) on or before the day specified in the notice of demand.

18C. Reimbursement of forfeited amount.— (1) Any person from whom excess interest was collected in contravention of the provisions of sub-section (1) of Section 7 and forfeited to Government under sub-section (1) of Section 18D shall be allowed refund of the same subject to the following conditions, namely:—

- (a) if he furnishes along with the statement in Form RB, the original of the receipt or other record evidencing such collection;

20. Substituted by SRO No. 1450/87, published in K. G. Ext. No. 894 dt. 07/11/1987.

21. Inserted by SRO No. 1450/87, published in K. G. Ext. No. 894 dt. 07/11/1987.

22. Inserted by G. O. (P) No. 69/2002/TD dt. 20/05/2002, published as SRO No. 403/2002 in K. G. Ext. No. 697 dt. 25/05/2002.

- (b) if the statement in the Form RB is submitted to the licensing authority which ordered forfeiture of such excess interest collected within a period of 3 years from the date on which the order of forfeiture was passed under sub-section (1) of Section 18D.

(2) If the licensing authority which forfeited the amount is satisfied that the statement submitted is correct and complete, it shall make refund of the amount within 90 days of receipt of the statement under Clause (a) above, in Form RC.]

²³[19. **Filing of appeal.**— The appeal under Section 16B shall be in Form 'S' duly accompanied by the order appealed against or by an authenticated copy thereof and may be sent to the Appellate Authority by post or may be presented to that authority by the appellant or his authorised agent or a legal practitioner].

²⁴[(2) The appeal memorandum shall be accompanied by a fee of rupees One hundred.]

²⁵[19A. **Filing of Revision.**— Every application for revision shall be in Form 'T' and shall be accompanied by a fee of rupees two hundred and fifty.]

20. Qualifications for Inspectors.— The Inspectors appointed under Section 10 shall possess the qualification prescribed for the posts of Sales Tax Officers/Agricultural Income-tax Officers of the Agricultural Income-tax and Sales tax Department.

21. Appointment of Inspectors.— No person below the rank of a Sales Tax Officer/Agricultural Income-tax Officer shall be appointed as Inspector under sub-section (1) of Section 10.

²⁶[22. **Form and fee for authorisation.**— The authorisation referred to in Section 20AA shall be in Form No. U and shall bear a court-fee stamp worth Rs.25 (rupees twenty-five only)].

²³ Substituted by SRO No. 1450/87, published in K. G. Ext. No. 894 dt. 07/11/1987.

²⁴ inserted by SRO No. 834/96, published in K. G. Ext. No. 1381 dt. 02/12/1996.

²⁵ inserted by SRO No. 834/96, published in K. G. Ext. No. 1381 dt. 02/12/1996.

²⁶ inserted by G. O. (P) No. 69/2002/TD dt. 20/05/2002, published as SRO No. 403/2002 in K. G. Ext. No. 697 dt. 25/05/2002.

[FORM A

[See sub-rule (1) of Rule 3]

FORM OF APPLICATION FOR THE GRANT OF MONEY-LENDER'S LICENCE

1. Name of the applicant :
2. Address in full (any subsequent change should be notified) :
3. Father's name :
4. Name & Permanent address of the Partners
(Applicable in the case of a Partnership firm) :
5. Permanent address :
6. Details of property owned by the applicant, with their
estimated value, (in the case of a partnership firm details
of property owned by all the partners shall be furnished) :

Property details of the licence holder

<i>Survey No.</i>	<i>Total extent</i>	<i>Village</i>	<i>Taluk</i>	<i>District</i>
(1)	(2)	(3)	(4)	(5)

Property details of partners

<i>Survey No. & Thandapper No.</i>	<i>Total extent</i>	<i>Village</i>	<i>Taluk</i>	<i>District</i>
(1)	(2)	(3)	(4)	(5)

7. Details of solvency certificate produced :
8. Address of the shop or place of business in respect
of which the licence is applied for (any subsequent
change should be notified) :
9. If the applicant has more than one shop or place
of business the address for each such shop or
place of business :
10. Has the applicant applied for a separate licence in
respect of each shop or place of business mentioned
against item 6 and if so with what result? :
11. Date of commencement of business :
12. Nature of business - Money lending only/
Money lending & deposit acceptance :
13. Financial year for which the licence is applied for :
14. The amount of money proposed to be lent during
the financial year :
15. Has the applicant paid the prescribed fee for the
licence (the Chalan receipt or other evidence of
payment of fee should be enclosed) :

16. Whether the declaration in Form AAA has been appended :

Signature of the applicant

I hereby declare that the particulars stated above are correct to the best of my knowledge and belief.

Signature of the applicant.]

FORM AA

[See sub-rule (1) of Rule 4]

FORM OF APPLICATION FOR RENEWAL OF MONEY-LENDER'S LICENCE

1. Name of the applicant :
2. Address in full (any subsequent change in address be notified) :
3. Name & Permanent address of the Partners (Applicable in the case of a Partnership firm) :

Name	Father's Name	Permanent address

4. Details of Solvency Certificate Produced :
5. Property details of the licence-holder :

Survey No.	Total extent	Village	Taluk	District
(1)	(2)	(3)	(4)	(5)

Property details of partners

Survey No. & Thandapper No.	Total extent	Village	Taluk	District
(1)	(2)	(3)	(4)	(5)

6. Financial year to which the renewal is applied for :
7. Description of the licence issued during the previous year :
8. Aggregate amount of money lent during the previous year :
9. Maximum amount of money outstanding to be reduced on any day of the previous year :
10. The date on which maximum amount of money was outstanding :
11. Amount of security deposited during the previous year with details :
12. Has the applicant paid the prescribed fee for the licence (the Chalan receipt or other evidence of payment of fee should be enclosed) :
13. Whether the declaration in Form AAA has been appended :

Signature of applicant.

I hereby declare that the particulars stated above are correct to the best of my knowledge and belief.

Signature of applicant.]

FORM AAA

[See sub-rule (3) of Rule 3]

I.....do hereby declare that the amount lent by me during the previous year/proposed to be lent by me during the yearwas/is Rs.....

Place:

Signature

Date:

Name and address]

FORM AAAA

[See Rule 4(5)]

BOND

KNOW ALL MEN BY THESE PRESENTS that I (H.E. full name and address) (hereinafter referred to as "the bounden") along with 1. Shri..... 2. Shri..... (H.E. name and address of the surety) (hereinafter referred to as "the sureties") do hereby bind ourselves and each of us, our and each of our heirs, executors and administrators jointly and severally to pay to the Governor of Kerala (hereinafter referred to as "the Government" which expression includes any authority appointed under the provisions of the Kerala Money-Lenders Act, 1958) on demand a sum of Rs.....(in words) (H.E. the amount of the bond).

Signed on this the day of..... One thousand nine hundred and eighty by the bounden Shri.....

Signature:

In the presence of witnesses:

- 1.
- 2.

Signed by the sureties:

- 1.
- 2.

In the presence of witnesses:

- 1.
- 2.

WHEREAS the bounden has been granted a licence under the provisions of the Kerala Money-Lenders Act, 1958;

AND WHEREAS the bounden has been required by the Licensing Authority to furnish an additional security as per Section 11A of the Kerala Money-Lenders Act, 1958 for an amount of Rs.....(in words) (H.E. the amount) by way of surety bonds as in the opinion of the licensing authority there is excess of liabilities over the assets of the bounden;

AND WHEREAS the bounden and the sureties have agreed to the same and to those hereinafter appearing;

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION is that in the event of the bounden failing to repay any loan realised or to return any pledge pawned to any person or persons as agreed to by the bounden or any person or persons acting under/for him/them, the bounden and the sureties shall forthwith pay to the Government on demand the sum of Rs..... (in words)and upon the payment of such sum, the above written obligation shall be void and of no effect, otherwise this shall be and remain in full force and effect:

FORM C**THE KERALA MONEY LENDERS RULES**

PROVIDED FURTHER THAT the liability of the sureties under this bond is co-extensive with that of the bounden and shall not be affected by the Government varying any of the conditions contained herein:

PROVIDED FURTHER that the bounden and the sureties do hereby agree that all sums found due to the Government under or by virtue of these presents may be recovered jointly and severally from them and their properties both movable and immovable, as if such sums were arrears of land revenue under the provisions of the Revenue Recovery Act for the time being in force or in such other manner as the Government may deem fit.

Signed and delivered by the bounden.

Shri..... Signature:

In the presence of witnesses:

- 1.
- 2.

Signed by the sureties:

- 1.
- 2.

In the presence of witnesses:

- 1.
- 2.]

FORM B

(Rule 5)

I,.....do hereby authorise and empower.....now residing at.....of.....to carry on the business of money-lender in premises No.....in.....District from.....upto and until the 31st day of March.....on the conditions noted below:—

1. This licence shall not be transferred to any other person.
2. The licence shall be produced to any Inspector appointed to inspect the accounts of the money-lenders or to any officer of the Agricultural Income tax and Sales tax Department not below the rank of Sales tax Officer/Agricultural Income-tax Officer.
3. All books, accounts and documents maintained by the licensee and all charges and securities taken by him shall be open to inspection by any officer mentioned in condition 2.
4. The licensee shall not remove his accounts and Registers to any place outside the area where he is carrying on the business of a money-lender except with the permission in writing of the authority who had given him licence.

A breach of any of the above conditions is punishable under [Sections 18, 18C and 18D] of the Act.

Given under my hand and seal this..... day of Fee paid Rs

Signature

Designation

FORM C

(Rule 6(1))

1. Name in full of the applicant
2. Address in full
3. Father's name
4. The name of the person in whose favour the original licence is issued
5. Description of the licence already issued
6. Relationship of the applicant with the original licensee.
7. Whether the applicant wishes to continue the business place for which the original licence is issued

4. Substituted by SRO No. 1450/87, published in K. G. Ext. No. 894 dt. 07/11/1987, for the word and letters "Section 18".

8. If not, the reasons for the same
9. If the applicant has some other shop or place of business in his name the address of each such shop or place of business.
10. Has the applicant applied for a separate licence in respect of each shop or place of business mentioned against item 9 and if so with what result.
11. (1) Has the applicant been issued a licence for conducting the business and had occasion to cancel the same
(2) If so the reasons for such cancellation

Signature of the applicant

I declare that the particulars stated above are correct to the best of my knowledge and belief.

Signature of the applicant

FORM D

[Rule 6(2)]

DECLARATION

I do hereby declare that I,.....the legal representative of late Shri/Smt.... (the legal heir of the late).... holder of money-lender's licence No.....

I agree that any licence issued in favour of me shall be liable for cancellation, if the statement furnished by me as above is proved incorrect.

Place:

Date:

Signature

Name

Designation and address

FORM E

(Rule 8)

1. Name of the debtor
2. Address
3. Amount of loan applied
4. Description of security furnished
5. Amount granted
6. Date of issue of the loan
7. Rate of interest
8. Amounts repaid in instalments and date
9. Balance outstanding against the debtor
 - (1) Principal loan
 - (2) Interest
10. Remarks
11. Signature of the money-lender or his authorised agent and date

FORM F

(Rule 9)

RECEIPT

Date:.....

Received froman amount of ,, towards the loan amount "outstanding against him as detailed below:—

Loan No.

Amount of Loan

Interest

.....
Total

Signature of money-lender or his agent.

FORM G

[See Rule 15(3)]

STATEMENT OF ACCOUNTS FOR THE YEAR ENDING 31st MARCH/QUARTER ENDING

To

Sir,

I.....son ofon behalf of the money-lender whose particulars are given below furnish herewith the statement of accounts of the money lender for the year ending 31st March/quarter ending

1. Name and full postal address of the money-lender :
2. Particulars of branch, if any, with postal address of each such branch :
3. Particulars of loans/advances :

<i>Name of loan</i>	<i>No. of persons to whom loan was advanced</i>	<i>Amount Rs.</i>
(1)	(2)	(3)

- (a) Against security of gold or gold ornaments
 - (b) Against Promissory Notes
 - (c) Against fixed assets
 - (d) Against other forms of security
4. Particulars of loans redeemed

<i>Nature of loan</i>	<i>No. of persons to whom loan received back</i>	<i>Amount Rs.</i>
(1)	(2)	(3)

- (a) Against security of gold or gold ornaments
 - (b) Against Promissory Notes
 - (c) Against fixed assets
 - (d) Against other forms of security
4. Particulars of deposits received

	<i>Number Rs.</i>	<i>Amount</i>	<i>Form of security given</i>
	(1)	(2)	(3)

- (a) No. of depositors/persons** from whom deposit was received at the beginning of the year/quarter.*
- (b) No. of depositors** from whom deposit was received during the year/quarter*
- (c) Total
- (d) No. of depositors** to whom deposit was repaid during the year/quarter*

* Substituted by SRO No. 403/2002, published in K.G. Ext. No. 697 dt. 25/05/2002.

** Strike out which is not applicable.

*** Here the word 'depositor' will have the same meaning and connotation as contained in Section 45R and 45S of Chapter III C of the Banking Laws (Amendment) Act, 1983.

- (e) Balance No. of deposits outstanding at the year/quarter*
- (f) Balance No. of depositors to whom deposit is to be repaid at the end of the year/quarter
- 6 (a) Maximum amount of money outstanding to be redeemed on any day of the quarter/year
- (b) The date on which the maximum amount of money was outstanding to be redeemed
- 7. Value of assets at the end of the year/quarter* :
- 8. Total liabilities outstanding at the end of the year/quarter* :
- 9. Excess of assets over liabilities or
- 10. Excess of liabilities over assets

DECLARATION

I.....son ofhereby declared that the information furnished in the above statement is true and correct to the best of my knowledge and belief.

Place:

Name

Date:

Signature

Status

FORM H

[See Rule 15(1)]

PAWN TICKET

Number of pledge

* Name and address of Pawnbroker

Number and date of licence of the pawnbroker

The following article/articles/is/are pawned with me:

- 1. Name and full address of pawner
- 2. Date of pawning
- 3. Amount of principal of the loan
- 4. Rate of interest charged
- 5. Full and detailed description of the articles (weight to be noted in the cases of jewels)
- 6. Value of article or articles
- 7. Signature or thump impression of the pawner

Signature of pawnbroker or his agent

FORM I

SALE BOOK OF PLEDGES

[Rule 15(1)]

(Date and place of sale)

- 1. Number of pledge as in the pledge book
- 2. Date of pawning
- 3. Name of pawner
- 4. Amount of loan
- 5. Amount for which pledge sold
- 6. Signature of the pawnbroker or his agent
- 7. Name and address of purchaser

* Strike out which is not applicable.

THE KERALA MONEY LENDERS RULES

FORM J

[Rule 15(1)]

DECLARATION (WHEN PLEDGE CLAIMED BY OWNER)

[This declaration shall not be effectual unless it is duly made and delivered back to the pawnbroker within three months from the date on which the form was delivered to the applicant by the pawnbroker.

Last date for delivery back to the pawnbroker.....

Any person making the declaration either as an applicant or as identifying as applicant knowing the same to be false in any material particulars is punishable under clause (b) of Section 18B(1) of the Act.]

I,.....of.....in pursuance of the Kerala Money-Lenders Act, 1958 (Act 35 of 1958), do solemnly and sincerely declare that the article/articles described below is/are my property and that it is/they are pledged at the shop of.....

The article/articles above referred to is/are of the following description.

Signature of the owner,
Designation,
Address.

I,.....of.....in pursuance of the said Act do solemnly and sincerely declare that I know the person now making the foregoing declaration to be.....

Signature of identifying person.
Designation,
Address

Declared before me this.....day of.....

Magistrate or Judge.

FORM K

[See Rule 15(1)]

DECLARATION (WHEN PAWN TICKET IS LOST, ETC.)

[This declaration shall not be effectual unless it is duly made and delivered to the pawnbroker within three months from the date on which form was delivered to the applicant by the pawnbroker.

Last date for delivering back to the pawnbroker.....

Any person making the declaration either as an applicant or as identifying an applicant, knowing the same to be false in any material particulars is punishable under Clause (b) of Section 18B(1) of the Act].

I,.....of.....in pursuance of the Kerala Money-Lenders Act, 1958 (Act 35 of 1958) do solemnly and sincerely declare that I pledged at the shop ofthe pawnbroker, the article/articles described below being my property and having received a pawnticket for the same which has since been..... by.....and that the pawnticket has not been sold or transferred to any person by me or to my knowledge or belief.

The article/articles above referred is/are of the following description.

Signature of pawner
Designation
Address.

I,.....of.....in pursuance of the said Act do solemnly and sincerely declare that I know the person now making the foregoing declaration to be of.....

Signature of identifying person
Designation
Address.

Declared before me thisday.....

Magistrate or Judge

FORM L

[Rule 15(1)]

RECEIPT

Received from on redemption of pledge number.....

Amount of loan	Rs.	Ps.
Interest
Total

Signature of pawnbroker or his agent

FORM M

(Rule 14)

PLEDGE BOOK

Name of pawner Full address:

1. Number of pledge
2. Date of loan
3. Amount of principal of loan
4. Rate of interest charged
5. The amount of every payment received towards loan and the date
6. Full and the detailed description of the articles (weight to be noted in the case of jewels)
7. Value of article or articles
8. The time agreed upon for the redemption of the pawn
9. Date of redemption or sale in auction
10. Name and address of the owner; if he is not himself the pawner
11. Name and address of the person redeeming or purchasing at sale in auction

Note:- All entries in the pledge book except items 5, 9 and 11 shall be made on the day of the pawning thereof.

FORM N

(Rule 18)

CERTIFICATE OF THE MONEY-LENDER OR HIS AGENT UNDER RULE 19

I certify that the above is a true copy of the account maintained under Clause (a) of sub-section (1) of Section 9/9D of the Kerala Money-Lenders Act, 1958, for the loan of Rs..... taken byon (date).....and that there are not alterations or erasures in the account (except the following):-

Signature money-lender or his agent.

FORM O

(Rule 18)

CERTIFICATE OF A PERSON OTHER THAN A MONEY-LENDER OR HIS AGENT UNDER RULE 19

I certify that I have compared the above copy with the original account in the custody of the money-lender and found it to be correct.

Signature,
Designation,
Address.

FORM P

[See Rule 11A]

FORM OF SUMMONS

Summons to appear in person and/or to produce documents

To

Whereas your attendance is necessary to give evidence/whereas the following documents (here describe the documents in sufficient details to permit their identification with reasonable certainty)with reference to an enquiry under the Kerala Money-Lenders Act, 1958 (here enter briefly the subject of enquiry)now pending before me, You are hereby summoned to appear in person/..... or/to produce/or cause to be produced the said documents before me on theday of..... 19..... at.....O'clock at (Place)..... and not to depart thence until permitted by me.

Given under my hand and the seal this day 19

(Seal)

Signature:

Designation.

FORM Q

[See Rule 16A]

AUTHORISATION

To

(Officer to whom issued)

Whereas on consideration of information furnished before me I am satisfied that a search of (specify particulars) of the residential buildings or premises is required.

This is to authorise you (name and designation of authority or authorities) to enter and search the said residential buildings or premises with the assistance of such police or other officers of Government as you consider necessary.

(Seal)

Signature

Place:

Member,

Date:

Board of Revenue, Trivandrum

FORM R

[See Rule 18A]

NOTICE OF DEMAND OF PENALTY UNDER SECTION 18C OR SECTION 18D

To

Whereas you have committed an offence (s) under Clause (s) of sub-section (4A) of Section 4, Section 18C/18D;

And whereas a penalty of Rs..... (in figures) (in words) has been imposed on you under Sections 4(4A), 18C/18D of the Act;

You are hereby directed to pay the above sum or Rs..... (in figures) (in words) being the penalty imposed on you as aforesaid on or before by remitting into the Government Treasury or by Crossed Demand Draft drawn in favour of the Licensing Authority or the Inspector failing which the said sum shall be first charge on your properties and the same shall be recoverable from you as an arrear of land revenue.

(Seal)

Place:

Signature of Inspector

Date :

Licensing Authority.

FORM No. RA
NOTICE OF DEMAND UNDER SECTION 18D(1) FORFEITING ANY AMOUNT
COLLECTED IN EXCESS OF THE INTEREST ALLOWED

[See Rule 18B]

To

.....

Whereas you have collected a sum of Rs.(in figures) Rupees
(in words) by way of excess interest in contravention of sub-section (1)
 of Section 7;

And whereas the said sum has been forfeited to Government under Section 18D;

Now, therefore, you are hereby directed to pay the above sum of Rs.....(in figures)
 Rupees.....(in words) being the amount forfeited as aforesaid on or before.....by
 crossed cheque or crossed demand draft drawn in favour of the licensing authority or by remitting into
 the Government Treasury, failing which the same shall be recoverable from you as an arrear of land
 revenue or as a fine imposed by a Magistrate.

Place:

Date :

Signature of Licensing Authority with seal.

FORM NO. RB
APPLICATION FOR REFUND UNDER SECTION 18(1A)

[See Rule 18C]

I.....do hereby apply for refund of Rs (in figures)
 Rupees (in words) being the excess interest collected from me by Sri
 money-lender having licence the numberin Kerala issued by the Licensing authority under
 Kerala Money-Lenders Act, 1958 in contravention of sub-section (1) of Section 7 of the Act. The details of
 collection of excess interest made in contravention of Section 7 are as follows:—

1. Number of pledge
2. Name & address of pawn broker
3. Number & date of licence of the pawn broker
4. Name & full address of the pawner
5. Date of pawn
6. Principal amount of loan
7. Rate of interest charged
8. Date of redemption
9. Amount paid
10. Excess interest

Name & Address

Signature of the applicant

FORM No. RC
REFUND PAYMENT ORDER

[See Rule 18C]

Book No.

Refund

Voucher No.

COUNTERFOIL

TAX/FEE

Order for the refund of excess interest collected under the Kerala Money-Lenders Act, 1958.

Amount of Refund Rs.

Refund payable to Sri/Messrs

Licence No.

Date of order directing refund

Number in collection register showing the collection of amount regarding which refund is made

Signed

Name of the Licensing Authority

Designation

Dated

Signature of the recipient of voucher

Date of Encashment in the Government Treasury

REFUND PAYMENT ORDER

[See Rule 18C]

Book No.

Refund

Voucher No.

**ORDER FOR THE REFUND OF EXCESS INTEREST
COLLECTED UNDER THE KERALA MONEY-LENDERS ACT, 1958**

(Payable at the Government Treasury within one month of the date of issue)

To

The Treasury Officer

1. Certified that with reference to the assessment records of Sri/ Messrs..... bearing Licence No..... for the period from.....to...refund of Rs.....(in words).....is due to Shri/Messrs.....

2. Certified that the amount of excess interest collected concerning which this refund is allowed has been duly credited to the Government Treasury-vide Chalan-wise details furnished on the reverse.

3. Certified that no refund order regarding the sum now in question has previously been-granted and this order of refund has been entered in the original file of the assessment under my signature.

4. Please pay to Shri/Messrs..... the sum of Rs..... (in figures) rupees.....(in words).

Date:

(Signed) Designation

(For entries in the Treasury)

Date of encashment in Government Treasury

Date..... Place

Pay Rupees only

Treasury Officer

Date.....

Received payment.....

Claimant's Signature

**REVERSE SIDE OF REFUND PAYMENT ORDER
DETAILS OF ORIGINAL CREDITS****Details of Chalan by which credited**

Sl. No.	Amount to be refunded Rs. Ps.	Total amount remitted as per the Chalan Rs. Ps.	No. and date of the Chalan	Head of account to which credited	Treasury officers signature in token of verification of credit]

FORM S
[See Rule 19]
FORM OF APPEAL

To
(The Appellate Authority)
The day of 19

1. Name of the appellant (s)
2. Authority passing the order in dispute
3. Date of communication of the order against which the appeal is filed
4. Address to which notice may be sent to the appellant
5. Relief claimed
6. Grounds of appeal
- ¶7. Details of fee remitted]

Signature of Appellant

VERIFICATION

I/We.....the appellant(s) do hereby declare that what is stated above is true to the best of my/our knowledge and belief.

Verified today the
day of 19

Signature of Appellant(s)]

Signature of Authorised Representative if any.]

¶FORM T

[See Rule 19A]

**Form of Application for Revision
BEFORE THE GOVERNMENT OF KERALA**

1. Name(s) of applicant(s) :
2. Authority passing the order in appeal :
3. Date of communication of the order against which the application is filed :
4. Address to which notice may be sent to the applicant(s) :
5. Relief claimed :
6. Grounds of revision :
- (a) :
- (b) :
- (c) :
7. Details of fee remitted :

Signature of applicant(s)

DECLARATION

I/We..... the applicant(s) do hereby declare that what is stated above is true to the best of my/our knowledge and belief.

Verified today theday19.....

Signature of applicant(s)

(Signature of Authorised Representative if any)

8. Added by G.O. (P) No.199/96/TD dt.05/11/1996, published as SRO. No.834/96 in K. G. Ext. No.1381 dt.02/12/1996.
9. Inserted by G.O. (P) No. 199/96/TD dt. 05/11/1996, published as SRO. No. 834/96 in K. G. Ext. No. 1381 dt. 02/12/1996.

- Note.—** 1. The application should be accompanied by the original or certified copy of the order appealed against.
2. The application shall be accompanied by a fee of rupees two hundred and fifty.]

¹⁰[FORM No. U

[See Rule 22]

**AUTHORISATION OF AN ACCOUNTANT/SALES TAX PRACTITIONER/RELATIVE/PERSON
REGULARLY EMPLOYED BY THE LICENCEE TO APPEAR ON BEHALF OF A MONEY-LENDER
BEFORE ANY AUTHORITY OTHER THAN THE HIGH COURT**

I/We of being (a) money-lender holding licence No dated under the Kerala Money-Lender's Act do hereby authorise Messrs..... a legal practitioner/Chartered Accountant/Sales Tax Practitioner/a relative of myself/a person regularly employed by me to appear on my behalf (here enter the capacity in which authorised) to represent me/us and produce accounts and/or documents connected with the proceedings/appeals before the Authorities under the Kerala Money-Lenders Act other than the High Court in respect of my/our licence for the period from to and whatever explanations or statements he/they give (s) or make (s) on my/our behalf will be binding on me/us.

Place:

Signature

Date:

Status:

ACCEPTED

I/We..... (representative) do hereby declare that I am an *Accountant/Sales Tax practitioner duly qualified under Section 20AA of the Kerala Money-Lenders Act, 1958 and that I agree to attend on behalf of the above mentioned Sri..... and that I shall state the facts correctly and give the explanation true to the best of my knowledge and belief.

Place:

Date:

Signature

* Score out whichever is not applicable. Applicable only in case where the representative is a relative or an employee, a Chartered Accountant or a Sales Tax Practitioner falling under Clauses (a), (c) or (d) of Section 20AA respectively.]