

## KERALA SICK TEXTILE UNDERTAKINGS (ACQUISITION AND TRANSFER OF UNDERTAKINGS) RULES 1987

Gazette No. 21 dated 26th May 1987- GOVERNMENT OF Industries (G) NOTIFICATION No. 33401G1/87!1D. Dated, Trivandrum; 25th March 1997. S. R. O. No. exercise of the powers conferred by section 34 Of the Kerala Sick Textile • Undertakings (Acquisition and Transfer of Undertakings) Act, 1985 (27 of 1985), the Government of Kerala hereby. make the following rulä, namely:— Rü133 l. Short titla and Commncement. These rules may bc caned the Kerala Sick TeetiFÜZrtakings (Acquisition •and uof Under- takings)• Rules, 1987B (2) They shall come into forces at once: 2. Definitions.—In these rules, unless the context otherwise requires,— (a) C CAct" means the Kerala Sick Textile Undertakings (Acquisition and Transfer of Undertakiögs) Act, 1985 (27 of 1985) ; (b) 'Commissioner' means the Commissioner of Payments appointed under section 16 of- the Act • '{section" means a section of the Act. (c) 3. Time lintit for intimation.—Every mortgagee of any property which has' vested under the Act in tile Government of Kerala and every person holding any charge, or other intbrest in or in relation to any such Property, shall give intimation of such mortgage, charge, lien or other Interest to the Comthissioner within a period ninety days from such date as may be specified by the Governmgnt of Kerala under . section 18 of the Aq : Provided that if the Commissioner is satisfied that the mortgagee or the Person holding any charge, lien or other interest' was prevented by SUFFicient cause from giving the intimation within the said period of ninety days' may receive the intimation within a further period of thirt) days, but not thereafter. G 750 2 4. Manncrof Every intimation given to the Commise under rule 3, shall bc in writing, (in • duplicate) addressed to the issioncr and shall contain the following ; particulars, namely (i) (ii) (iii) (iv) Category Category Name, description and full address of the mortgagee, charge, lien or other interest P)older ; Namc, description and "full address of the sick textile undertaking ; Name and address of the owner or owners of the sick textile under- taking ; Details of claims ; Arrears in relation to provident fund, and other salaries and wages amounts, due to an employee for the pre-take over management period. (aYLoans advanced by a Bank (b) 8 d Category—Ili (a) (b) Category—IVI Loans advanced by an institution other than a Banka Any other loan. Any credit availed of for purposes Of trade or manufac- turing operations. Revenue q taxes, cesses, rates or any other dues, to the Government or a State Government. Any other dues. Principal amounts of the secured loans advanced by airy nationalised Bank -or public financial institution. Secured loans Other than those specified undersCategory—iV Câtory—VI Revenue, taxes, cesses, rates or any bther dues to the Central Government? a State Government or a State a local authority Electricity Board. Catcgoqy—Vlt (a) Any credit availed of purpose of trade or jnanurac- turing operations. (b) Any other dues. Category—Vill Interest amounts on the secured loans •advanécd by any nationa- lised bank or public fiuanc;al institution. (v) (vi) (vii) (viii) (ix) (2) Every Any- other claim. under the act specify the section and sub-section of the Act vd th brief description oft the claim • 9 Particulars the irrstrumnt if any, by which the mortgage, .charge, lien or other interest is secured, supported by an attested copy of the instrument ; Amount, if any, already received with particulars ; Any other particular\* relevant to the claim. Relief claimed. (In figures and words) intimation shall .be duly signed and verified by the mortgagees or the person holding the charge, . lien or other i4teresWt, or by the duly authorised agent or • pers0li for the claimant •in the presence of a erson competent to administer oaths. under theg Oaths Ace, 1969 (Central act 44 of 1969). (3) Intimadon shall be forwarded to the offICc of the Commissioner in all working days during soffice hours or may be sent by registered post with acknowledgement due.

**5. Claim not 'tallyin: with item particulars to be given by the claimant in the inti;nation shall tally With the classification and tategorisation of items of claims as contained in the Second Schedule of {he In case a claim preferred does not tally with the item mentioned in sct.category brief description of such claim shall also be appropriately given the intimation.**

**6. Claim for more than ong category or itcm. —**A claimant eligible prefer claims under the Act for: more than one category or more than one item in a category shall make such claims in separate intimations. By order of the Governor, N. H. SUBRAMONIA 1m, Additional Secretary to Govjrnment, Explanatory Note (This does not form part of the Notification:) Section 34 of the Kerala Sick Textile Undertakings (Acquisition and Transfer of Undertakings) Acr, 1985 empowers • Government to map '

rules to carry out the provisions of the said Act. Accordingly Government have framed the Kerala Sick • Textile Undertakings (Acquisition and Transfer of Undertakings) Rules 1987 to carry out the provisions of the Kerala Sick Textile Undertakings (Acquisition and Transfer Of Undertakings) Act, 1985. The notification is intended to achieve the above purpose,

