

Proposal for Identification of property of Promoter(s) / Guarantor(s) in respect of litigation cases

1. OBJECT:

The Corporation is facing with the problems of sticky and hard accounts mostly in Court where promoter(s)/guarantor(s) and their properties are not traceable due to which execution of decree and recovery proposal could not be effectively made. In order to trace their properties and initiate action for recovery against such properties, it is proposed to launch a scheme whereby **Institutions / Societies / Individuals / Agencies/Gram Panchayat etc.** who are interested to participate in this incentive scheme to identify the properties of such borrowers may get registered themselves with Head Office and ask for specific case in which they intend to identify the property.

2. ELIGIBILITY:

The cases under litigation where the Corporation has failed to ascertain detail of properties of the defendants except such cases which have already been settled under OTS scheme and settlement package is still alive. The Corporation should prepare the list of cases where the properties to be investigated after detail examination of the record available with the Corporation for each case and exhausting all available channels for investigation of properties like use of RTI, promoters PAN card, their bankers details or by deputing officials for enquiring or by giving advertisement in the newspapers etc *Any property which have been identified by the Corporation in past shall not be eligible for incentive for identification of property. The Managing Director will decide the case to be covered under the scheme.*

3. TASK INVOLVED:

To identify, locate and procure details about the properties of the defendants. The registered Institutions / Societies / Individuals / Agencies / Gram Panchayat etc. will be required to identify the properties of the defendants in those cases which are assigned by the Corporation from time to time. The property so identified :

- a) should not be on the record of the Corporation.
- b) should not be already mortgaged with the Corporation.
- c) should belong to loanee (s) / guarantor(s).
- d) should belong to LRs which has been inherited by them from deceased promoter(s)/guarantor(s).

If registered person / body withdraw his registration before completing the work assigned or not able to complete the given task within 3 months, the Corporation shall be its liberty to allot such cases to other party.

Note: Employees of the Corporation are debarred from the list of individual/agencies etc. who can be registered for identification of properties.

4. QUANTUM OF INCENTIVE:

Incentive will be 1% of the decretal amount or principal outstanding or 1% of the value of the property identified whichever is less with minimum of Rs.5,000/- and maximum of Rs.30,000/- inclusive of all expenses and taxes per assignment.

5. ROLE OF CORPORATION:

The Corporation will register those persons / bodies who are eligible and interested to participate in this scheme. The Corporation will give list of units to registered persons / bodies from time to time in which property is required to be identified and will assign particular case to registered persons / body for which he is interested. Prescribed format for application and allotting the case is **annexed**. After allotment details will be entered in a separate register for control & monitoring purposes. The incentive will be payable to the person / body who submits its information in prescribed time with details of properties identified and the Corporation is satisfied that his information is true & correct and the properties so identified is marketable and mortgagable.

CORPORATION WILL:

- i. prepare a list of cases where properties are to be investigated after detail examination of the record available with the Corporation for each case .
- ii. register the person / body after obtaining the application in prescribed format.
- iii. assign the case to registered person / body as per their preference on their request .
- iv. maintain record for incorporating information about the cases and to follow up and monitoring them regularly.
- v. process the claim for incentive payable to the agency.
- vi. take necessary consequential action for recovery of dues of the Corporation.

b) VALUATION OF PROPERTY

The Valuation of property so identified shall be done by the Corporation as per the existing norms.

6. ADVERTISEMENT :

To make the scheme popular, wide publicity shall be made through News papers and HPFC website inviting applications for identifying the properties.

The interested parties after registration with HPFC may get the list of the units from the Corporation and other details in which property identification is required.

7. TIME PERIOD:

The Institutions / Societies / Individual / Agencies / Gram Panchayat / registered with the Corporation will be required to furnish details of properties so identified within a period of **three months** from the date of assignment.

8. HOW TO APPLY:

The interested parties may contact the Corporation and submit their application in prescribed format by paying a non- refundable registration fee of Rs. 500 /- in cash or demand draft.

9. MISCELLANEOUS:

The Corporation shall not reimburse any expenses incurred by Institutions / Societies / Individual / Agencies / Gram Panchayat registered with the Corporation for identification of property of units assigned to them and shall not be party to any act/litigation arising in identification of property.

Prescribed format for application

APPLICATION FORM UNDER SCHEME OF IDENTIFICATION OF PROPERTY

Passport size photo

1. Name of Agency .
2. Address - Regd. Office
- Br. Office (If any)
3. Telephone No. - (Office) ;
(Residence) ;
(Mobile) :
4. Name of Main promoter :
5. Date of incorporation :
6. Brief details of activity :
7. Details of Registration fee deposited :

Amount : Cash/Cheque/DD :

Date :

8. Name of unit intended for identification of property:

- i.
- ii.
- iii.
- iv.
- v.

Undertaking

I hereby undertake to register with HPFC for identification of property of promoter/guarantor of units allotted to me. I shall not claim amount expenses incurred / to be incurred by me for the work of identification of property and incidental thereof. I further undertake that in the event of non completion of work in 3 months, the Corporation may allot such units to any other agency for identification of property.

Signature of the applicant.