

RAJASTHAN FINANCIAL CORPORATION
(FR SECTION)

Ref.No.RFC/23FR/HO/Policy-96/ 2 | 20

Dated : 3rd Feb., 2010

CIRCULAR
(FR-593)

Reg : Criminal action in the cases where cheques have been dishonoured

Instructions already exist that the matter with regard to dishonoured of cheques should be taken seriously and immediate legal action should be initiated followed by timely filing of complaint in the competent Court under the provisions of Section 138(b) of the Negotiable Instruments Act, 1881.

DRC, while reviewing the default cases, observed that timely action to issue notice and filing complaint under NI Act is not being taken by the BOs resulting into increasing tendency of bouncing of cheques.

It has, therefore, been decided to reiterate the guidelines. Accordingly, all the Branch Managers are advised to ensure that the PDCs should be presented strictly on due dates and in the cases where cheques have been sent for clearance to the bank the same should be closely monitored and immediate note should be taken by the BM of the dishonoured cheques. Immediate action should be taken to issue prescribed registered notice and in case loanee fails to deposit the amount of the dishonoured cheque then timely action should be taken for filing criminal complaint before the competent court within the stipulated time frame under Negotiable Instruments Act.

It is once again reiterated that responsibility will be fixed of the concerned Branch Manager / Supervisory Officer / Cashier and disciplinary action will be initiated for the lapses, if any, with regard to delayed presentation of cheques and not initiating timely action to issue notice and file complaint under NI Act.

All the BMs are also advised to send details in the enclosed format about action taken in the cases of dishonoured cheques and also reasons for not filing criminal complaint u/s 138(b) of the NI Act if loanee failed to deposit the amount of the bounced cheque. The information, should reach the undersigned in the enclosed format latest by 20.02.2010 positively.


(SUKHAVER SAINI)
GENERAL MANAGER (DEV.)

Copy to :

1. All BOs/Sos.
2. DGM(A&I) Ajmer / Jodhpur.
3. Standard Circulation at HO.

Rajasthan Financial Corporation
Branch Office _____

Statement showing details of the dishonoured cheques and action taken thereon*
(*the statement should contain details of all the dishonoured cheques which
have been lodged w.e.f. 01.03.2009 onwards)

[illegible]

BRANCH MANAGER