

**PROCEEDINGS OF THE COMPETENT AUTHORITY &  
SECRETARY TO GOVERNMENT, BANNING OF  
UNREGULATED DEPOSIT SCHEMES ACT UNDER SECTION  
7(3) OF THE CENTRAL BUDS ACT (2019)  
PRESENT: SRI. SANJAY M KAUL IAS**

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**HOME (SC) DEPARTMENT**

SC3/184/2022-Home Dated, Thiruvananthapuram (31-07-2024)

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Sub: Home Department - Banning of Unregulated Deposit schemes Act, 2019 - Provisional attachment of all movable & immovable properties of Kerala Housing Finance Limited (KHFL) - Orders Reissued.

Ref: 1) GO(P) No. 69/2020/Home dated 18.12.2020 published as SRO No. 887/2020.

2) GO(Rt) No. 2959/2020/Home dated 22.12.2020 published as SRO No. 894/202.

3) Investigation Reports from Detective Inspector, Crime Branch Central Unit -IV

4) Proceedings No.SC3/184/2022/Home dated 27/12/2022.

5) Letter No. DCTSR/10485/2020-C8 dated 27/06/2024 from the District Collector Thrissur.

6) Proceedings No.SC3/184/2022/Home dated 01/7/2024.

**ORDER**

The Detective Inspector, CBCU - 1V, Thiruvananthapuram have furnished report relating to the crime case No. 31/CBCU - 1V/ TVM/R/2021 u/s 406, 420 & 34 IPC and section 3, 4 & 5 of The Emblems and Names (Prevention of Improper Use) Act 1950 and Section 5 of Kerala Protection of Interests of Depositors in Financial Establishments Act 2013 (KPID Act), Section 21 & 23 of the Banning of Unregulated Deposit Schemes Act 2019 and connected cases registered against Kerala Housing Finance Limited (KHFL). It is reported that Kerala Housing Finance Limited has accepted deposits from the public and failed to return the amount as promised and thus committed offences under section 21 & 23 of Banning of Unregulated Deposit Schemes Act, 2019.

Vide Proceedings read as 4<sup>th</sup> paper above the Competent Authority issued provisional attachment of all movable/immovable properties and all other deposits held by the Deposit Taker and the money or other property acquired either in the name of the deposit taker in the name of any other person on behalf of the deposit taker.

As per section 14 of the BUDS Act application for confirmation of attachment and sale of property had to filed within 30 days which might extend up to 60 days before the Designated Court. But the District Collector, Thrissur vide letter read as 5<sup>th</sup> paper above reported that the exercise could not be completed within the stipulated time.

Accordingly, I, Sanjay M Kaul IAS, Competent Authority, BUDS Act 2019 have examined the matter in detail and found that the accused have accepted deposits from the public and failed to return the amount. The deposit taker have accepted the deposits in contravention of section 3 of the BUDS Act read with section 21 and defaulted in repayment of such deposits.

I, therefore, in exercise of powers conferred under section 7(3) of BUDS Act, 2019, reissue the proceedings read as 6<sup>th</sup> paper above to safeguard the interest of the innocent depositors, hereby attach all movable/ immovable properties and all other deposits held by the Deposit Taker and the money or other property acquired either in the name of the deposit taker or in the name of any other person on behalf of the deposit taker.

The Inspector General of Registration Department is hereby directed to freeze the sale/mortgage or any other transaction of immovable properties of the firm and the Deposit Taker. The Transport Commissioner, Motor Vehicles Department is directed to seize all vehicles owned by the firm/deposit taker/its partners or allied firms and to take necessary steps to prohibit the transfer of registration of vehicles and to report to the respective District Collectors.

The Lead Bank Managers of all Districts concerned/Registrar of Co-operative Societies/General Managers of KSFE/ District Managers of KFC and all other financial institutions are directed to take necessary steps to freeze all the accounts of the financial institution and its allied

firms. Police Authorities shall identify the accounts of the firm and the deposit takers and take action to freeze the accounts by intimating the provisional attachment orders to the respective Banks where the accounts are maintained. The Police shall also report the details of the current/ any future accused persons from time to time directly to the concerned District Collectors for provisionally attaching the properties within the stipulated time limit.

The District Collectors appointed as officers to assist the Competent Authority under section 7(2) of BUDS Act are directed to serve the copy of the provisional attachment to the owner of the property or any person who claims to be in possession of the property or any other person who has an interest in the said property and to prepare and maintain details of the properties so attached and the expenditure incurred in this regard in Form No. 2.

The District Collectors are further directed to publish the order of provisional attachment in a leading newspaper both in Malayalam and in English having wide circulation in the area or jurisdiction in which the deposit taker is located.

The District Collectors appointed as officers to assist the Competent Authority under section 7(2) of BUDS Act are directed to issue attachment orders separately against the properties of the accused and file application with particulars of the attachment effected before the Designated Courts constituted read as 2<sup>nd</sup> paper above, of the respective District, within the stipulated time of 30 days for making the provisional attachment absolute and for permission to sell the property so attached by public auction or, if necessary, by private sale according to section 14 of Central BUDS Act, 2019.

(Sd.)  
SANJAY M KAUL

Forwarded/By order

Section Officer.

To:

The State Police Chief

All District Collectors  
The Additional Director General of Police (Crimes)  
The Inspector General of Police (EOW), PHQ  
All District Police Chiefs  
The Inspector General of Registration Department  
The Transport Commissioner  
Registrar of Co-operative Societies  
General Managers of KSFE/District Managers of KFC/All Banks  
etc(through the District Collectors)  
The Finance/ Law/Revenue/Taxes Departments  
I & PR (Web & New Media) Department.  
Stock File/Office Copy.