

THE AGRICULTURISTS' LOANS ACT, 1884

ARRANGEMENT OF SECTIONS

PREAMBLE.

SECTIONS

1. Short title, Commencement.
2. Local extent.
3. Repeal of Act X of 1879, and sections 4 and 5 of Act XV of 1880.
4. Power for State Government to make rules.
5. Recovery of loans.
6. Liability of joint-borrowers as among themselves.

THE AGRICULTURISTS' LOANS ACT, 1884

ACT NO. 12 OF 1884¹

[24th July, 1884.]

An Act to amend and provide for the extension of the Northern India Takkavi Act, 1879.

Preamble.—WHEREAS it is expedient to amend the Northern India Takkavi Act, 1879 (10 of 1879), and provide for its extension to ²[certain other areas];

It is hereby enacted as follow:—

1. Short title.—(1) This Act may be called the Agriculturists' Loans Act, 1884; and Commencement.

(2) It shall come into force on the first day of August, 1884.

2. Local extent.—(1) This section ³[extends to the whole of India except the territories which, immediately before the 1st November, 1956, were comprised in Part B States].

⁴[(2) The rest of this Act extends in the first instance only to Uttar Pradesh, the Central Provinces, Assam and Delhi and the territories which, immediately before the 1st November, 1956, were comprised in the States of Bombay, Punjab and Ajmer.]

(3) But any State Government may, from time to time, by notification in the Official Gazette, extend the rest of this Act to the whole or any part of ⁵[the territories to which this Act extends] under its administration.

3. [Repeal of Act X of 1879, and sections 4 and 5 of Act XV of 1880.] Rep. by Repealing Act, 1938 (1 of 1938), s. 2 and Schedule.

4. Power for State Government to make rules.—(1) The State Government ⁶[or, in a State for which there is a Board of Revenue of Financial Commissioner, such Board or Financial Commissioner, subject to the control of the State Government] may, from time to time, ⁷*** make rules as to loans to be made to owners and occupiers of arable land, for the relief of distress, the purchase of seed or cattle, or any other purpose not specified in the Land Improvement Loans Act, 1883 (19 of 1883), but connected with agricultural objects.

(2) All such rules shall be published in the Official Gazette.

1. It has been amended in—

C.P. and Berar by C.P. & Berar Acts 34 of 1947 and 54 of 1949;

Coorg by Coorg Act 3 of 1936;

Madras by Madras Act 16 of 1935;

Orissa by Orissa Act 6 of 1937; and

U.P. by U.P. Acts 12 of 1922, 12 of 1934 and 12 of 1948.

Bombay by Bombay Act 27 of 1958.

Repealed in its application to Malabar District of Kerala by Kerala Act 27 of 1961.

Extended to the whole of Madhya Pradesh by M.P. Act 27 of 1958 (when notified).

Extended to the Hyderabad and Saurashtra area of the State of Bombay by Bombay Act 27 of 1958.

Extended to Goa, Daman and Diu with modifications, by Reg. 12 of 1962, s. 3 and Schedule.

This Act as at present in force in the State of Gujarat extended to the Union territory of Dadra and Nagar Haveli by G. S. R. 1638, date 3-12-1962.

Extended to the Whole of the Union territory of Lakshadweep : vide Reg. 8 of 1965, s. 3 and Schedule. (w.e.f. 1-10-1967).

2. Subs. by the Adaption of Laws (No. 2) Order, 18956, for “other Part A States or Part C States”. (w.e.f. 1-11-1956).

3. Subs., *ibid.*, for “and section 3 extend to the whole of India except Part B States”. (w.e.f. 1-11-1956)

4. Subs. by the Adaption of laws (No. 2.) Order, 1956. For “the territories”(w.e.f. 1-11-1956)

5. Subs. by 2 A.L.O., 1956, for “the territories”.

6. Ins. by Act 4 of 1914, Section 2 and Schedule, Part I.

7. The words “subject to the control of the G.G. in C.” rep. by the Act 4 of 1914, Section 2.

¹[(3) Every rule made by the State Government or a Board of Revenue or a Financial Commissioner under this Act shall be laid, as soon as may be after it is made, before the State Legislature."].

5. Recovery of loans.—Every loan made in accordance with such rules, all interest (if any) chargeable thereon, and costs (if any) incurred in making or recovering the same, shall, when they become due, be recoverable from the person to whom the loan was made, or from any person who has become surety for the repayment thereof, as if they were arrears of land-revenue or costs incurred in recovering the same due by the person to whom the loan was made or by his surety.

6. Liability of joint borrowers as among themselves.—When a loan is made under this Act to the members of a village community or to any other persons on such terms that all of them are jointly and severally bound to the Government for the payment of the whole amount payable in respect thereof, and a statement showing the portion of that amount which as among themselves each is bound to contribute is entered upon the order granting the loan and is signed, marked, or sealed by each of them or his agent duly authorized in this behalf and by the officer making the order, that statement shall be conclusive evidence of the portion of that amount which as among themselves each of those persons is bound to contribute.

1. Ins. by Act 4 of 2005, s. 2 and Schedule. (w.e.f. 11-1-2005)