

THE AGRICULTURISTS' LOANS ACT, 1884

ARRANGEMENT OF SECTIONS

SECTIONS

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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.

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 ⁴[the territories which, immediately before the 1st November, 1956, were comprised in Part B States].

⁵[(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 ⁶[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 .—⁷[*]**

4. Power for State Government to make rules.—(1) The State Government ⁸[or, in a State for which there is a Board of Revenue or Financial Commissioner, such Board or Financial Commissioner, subject to the control of the State Government] may, from time to time, ^{9***} 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.

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

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.

2. Subs. for “other Part A States or Part C States” by 2 A.L.O., 1956 (w.e.f. 1-11-1956).

3. The words and figure “and Section 3” omitted by 2 A.L.O., 1956 (w.e.f. 1-11-1956).

4. Subs. by 2 A.L.O., 1956 (w.e.f. 1-11-1956).

5. Subs. by 2 A.L.O., 1956 (w.e.f. 1-11-1956).

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

7. Rep. by Act 1 of 1938, S. 2 and Sch. (w.e.f. 26-2-1938). Prior to repeal it read as:

“3. Repeal of Act 10 of 1879, and Section 4 and 5 of Act 15 of 1880.—(1) On and from the day on which this Act comes into force, the Northern India Takkavi Act (Act 10 of 1879), and Section 4 and 5 of Act 15 of 1880, shall, except as regards the recovery of advances made before this Act comes into force and of the interest thereon, be repealed.

(2) All rules made under those Acts shall be deemed, to be made under this Act.”

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

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

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.