

THE AGRICULTURISTS' LOANS ACT, 1884

ARRANGEMENT OF SECTIONS

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THE AGRICULTURISTS' LOANS ACT, 1884
Act No. 12 of 1884

Passed by the Governor-General of India in Council

[Received the assent of the Governor-General on the 24th July, 1884].

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1884	12	The Agriculturists' Loans Act 1884	Amended by Act 8 of 1906. Amended by Act 4 of 1914. Adapted by Government of India (Adaptation of Indian Laws) Order, 1937. Adapted by Adaptation of Laws (No. 2) Order, 1956. Extended to the territories which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union by Punjab Act No. 5 of 1957 ²

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

Preamble.—Whereas it is expedient to amend the Northern India Taccavi Act, 1879, and provide for its extension to ³[certain other areas]. It is hereby enacted as follows:—

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

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

2. Local extent.—(1) This section ⁴[extends to the whole of India except 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 territory which, immediately before the 1st November, 1956, were comprised in the States of Bombay, Punjab and Ajmer].

1. For statement of objects and reasons, see Government of India Gazette, 1884, Part V, page 2.
2. For Statement of objects and reasons, see Punjab Government Gazette (Extraordinary), 1957, Page 339.
3. Substituted by the Adaptation of Laws (No. 2) Order, 1956, for other Part A States or Part C States".
4. Substituted for the words "and section 3 extend to the whole of India except Part B States", by Adaptation of Laws (No. 2), Order, 1956.
5. Substituted by *ibid*, for the former sub-section (2).

(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 ¹ [the territories to which this Act extends] under its administration.

3. * * ² * * .

4. Power for State Government to make rules.—(1) The State Government ³ [or, in a ⁴ [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, ⁵ [*] 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, but connected with agricultural objects].

(2) All such rules shall be published in the ⁶ [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 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 as 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.

GENERAL NOTES.—1. Government of India, Finance and Commerce Department, notification No. 4650, dated 10th September, 1899, clause (12), remits the fees chargeable on applications for loans under the Agriculturists' Loans Act (XII of 1884).

2. By Article 57 of Schedule I to the India Stamp Act II of 1899, instruments executed by persons taking advances under the Agriculturists' Loans Act, 1884, or by their sureties, as security for the repayment of such advances, are exempted from Stamp duty.

3. Government of India, Finance Department, notification No. 16-Ext., dated 16th July, 190, remits the stamp duty chargeable on—

(i) An instrument executed for the purpose of securing the repayment of a loan made, or to be made, under the Agriculturists' Loans Act, 1884, (XII of 1884), including an instrument whereby a landlord binds himself to consent to the transfer, in the event of default in such repayment, of any land, or interest in land, on the security of which any such loan is made to his tenant;

(ii) A receipt given by a person for advances exceeding Rs. 20 received by him from the Government under the Agriculturists' Loan Act, 1884 (XII of 1884).

1. Substituted by *ibid*, for "the territories".

2. Section 3 repealed by Act I of 1938, section 2 and Schedule.

3. Inserted by Act 4 of 1914, section 2 and Schedule, Part I.

4. Substituted by Act 4 of 1914, for "Province".

5. The words "subject to the Control of the Governor-General in Council", repealed by Act 4 of 1914, section 2 and Schedule, Part I.

6. Substituted by Government of India (Adaptation of Indian Laws) Order, 1937, for "Local Official Gazette".