

The Gujarat Non-Agriculturists' Loans Act, 1928

GUJARAT

India

The Gujarat Non-Agriculturists' Loans Act, 1928

Act 3 of 1928

- Published on 30 March 1928
- Commenced on 30 March 1928
- [This is the version of this document from 30 March 1928.]
- [Note: The original publication document is not available and this content could not be verified.]

The Bombay Non-Agriculturists' Loans Act, 1928 Bombay Act No. 3 of 1928 [Dated 30th March 1928] The Act was extended to that part of the State of Bombay to which, immediately before the commencement of Bombay 29 of 1958, it did not extend (vide Bombay 29 of 1958, Section 2). For Statement of Objects, see Bombay Government Gazette, 1928, Part V, p. 7; and for proceedings in Council, see Bombay Legislative Council Debates, 1928, Vol. XXII. An Act to provide for the grant of loans by Government to non-agriculturists [for certain purposes] [These words were substituted by Bombay 6 of 1949, Section 3.] and for the recovery of such loans. Whereas it is expedient to provide for the grant of loans by Government to non-agriculturists [for certain purpose] [These words were substituted by Bombay 6 of 1949, Section 3.] and for the recovery of such loans in manner hereinafter appearing: [* * * * *] [The words beginning with the words 'And whereas' and ending with the words 'passing of this Act' were deleted by Bombay 29 of 1958, Section 3 (1).] It is hereby enacted as follows:

1. Short title.

- This Act may be called "The Bombay Non-Agriculturists' Loans Act 1928."

2. [Extent. [This section was substituted for the original, by Bombay 29 of 1958, Section 3 (2).]

- This Act shall extend to the whole of the [State of Gujarat],

3. Purpose for which loans may be granted.

- Subject to such rules as may be made under Section 6 loans may be granted under this Act [for erecting rebuilding or repairing houses for building or repairing boats] [These words were substituted for the original by Bombay 6 of 1949, Section 4.] or for the relief of distress to any person to whom a loan under the [Agriculturists] [See Central Acts.] Loans Act 1884 (XII of 1884)

cannot be granted.

4. Loans already granted to be deemed to have been granted under Act.

- All loans granted after the 1st day of August 1927 to such persons as are referred to in Section 3 for the purpose mentioned therein shall be deemed to be loans granted under this Act:

5. Recovery of loans.

- [All loans granted or deemed to have been granted under this Act together with all interest (if any) chargeable thereon and costs (if any) incurred in making or recovering the same shall be recoverable at the direction of the Collector in any one or more of the following modes namely:-(a)from the borrower-as if they were arrears of land revenue due by him;(b)from his surety (if any)-as if they were arrears of land revenue due by him;(c)out of the assets left by a deceased borrower or surety or out of the property comprised in the collateral security (if any)-according to the procedure for the realisation of land revenue by the sale of a defaulter's moveable or immovable property other than land on which that revenue is due;(d)if the loan is for the benefit of a house out of such house-as if it were arrears of land revenue due in respect of the land on which the house stands.[Explanation. - In this section "Collector" includes a Deputy Commissioner.] [The figure and brackets '(1)' were repealed by Bombay 11 of 1928, Section 3, and Second Schedule.]

6. [Power to make rules. [For Rules under this section, see Government Notification in the Finance Department No. 6004-E, dated the 1st December, 1930, published in the Bombay Government Gazette, 1930, Part I, pp. 2951-58.]

(1)The [[State] Government] may from time to time by notification in the [Official Gazette] [The words 'Official Gazette' were substituted for the words 'Bombay Government Gazette' by the Adaptation Indian Laws Order in Council.] make rules to carry out the purpose of this Act.(2)In particular and without prejudice to the generality of the foregoing power such rules may be made for the following matter, namely:-(a)the manner of making applications for loans;(b)the officers by whom loans may be granted;(c)the nature of the security if any to be taken for the due application and repayment of the money the rate of interest at which and the conditions under which the loans may be granted and the manner and term of granting loans; and(d)the instalments by which and the mode in which loans shall be repaid.]

7.

[Repeals and Savings.] Omitted by the Gujarat Adaptation of Laws (State and Concurrent Subjects) Order, 1960.