

The land Improvement loans and Agriculturists' loans (Extension and Amendment) Act, 1957

MAHARASHTRA

India

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Act 27 of 1958

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The land Improvement loans and Agriculturists' loans (Extension and Amendment) Act, 1957 Bombay Act No. 27 of 1958 [Dated 1st April, 1958] For Statement of Objects and Reasons, see Bombay Government Gazette, 1957, Extraordinary, Part V, p. 222. An Act to extend the Land Improvement Loans Act, 1883, and the Agriculturists' Loans Act, 1884, to the Hyderabad and Saurashtra areas of the State of Bombay and to amend the said Acts for certain purposes. Whereas the Land Improvement Loans Act, 1883, and the Agriculturists' Loans Act, 1884, extend to the whole area of the State of Bombay except the territories which, immediately before the 1st November, 1956, were comprised in Part B States; And Whereas the said Acts have been amended in their application to certain areas of the State of Bombay; And Whereas in the Hyderabad area of the State of Bombay, the Hyderabad Land Improvement Loans Act, 1950, and Hyderabad Agriculturists' Loans Act, 1950, are in force, and in the Saurashtra area of the State of Bombay, the Land Improvement Loans Act, 1883, and the Agriculturists' Loans Act, 1884, as modified and applied by the State of Saurashtra (Application of Central and Bombay Acts) Ordinance, 1948, are in force; And Whereas it is expedient that the Land-Improvement Loans Act, 1883, and the Agriculturists' Loans Act, 1884, should be extended to and be brought into force also in Hyderabad and Saurashtra areas of State of Bombay and that the said Acts in their application to the whole of that State be further amended for the purposes hereinafter appearing; and in consequence thereof the corresponding provisions be repealed; It is hereby enacted in the Eighth Year of the Republic of India as follows :-

1. Short title.

- This Act may be called the Land Improvement Loans and Agriculturists' Loans (Extension and Amendment) Act, 1957.

2. Extension of Acts No. XIX of 1883 and No. XII of 1884 to Hyderabad and Saurashtra areas of the State of Bombay.

- The Land Improvement Loans Act, 1883 and the Agriculturists' Loans Act, 1884, are hereby extended to and shall be, in virtue of such extension, in force in the Hyderabad and Saurashtra areas of the State of Bombay.

3. Consequential and other amendments to Act XIX of 1883.

- In the Land Improvement Loans Act, 1883. -(1)in section 1, to sub-section (2) the following proviso shall be added, namely :-"Provided that, on the commencement of the Land Improvement Loans and Agriculturists' Loans (Extension and Amendment) Act, 1957, this Act shall also extend to and be in force in, the Hyderabad and Saurashtra areas of the State of Bombay.";(2)in section 4, in sub-section (2), for the words "any work which adds to the letting value of land" the words "in relation to any land, any work which adds to the value of the land and which is suitable thereto as also consistent with the purpose for which it is held" shall be substituted.

4. Consequential and other amendments to Act XII of 1884.

- In the Agriculturists' Loans Act, 1884 -(1)in section 2 -(a)to sub-section (1) the following proviso shall be added, namely :-"Provided that, on the commencement of the Land Improvement Loans and Agriculturists' Loans (Extension and Amendment) Act, 1957, this section shall also extend to the Hyderabad and Saurashtra areas of the State of Bombay.";(b)in sub-section (2) -(i)after the word "Delhi" the words "and the State of Bombay" shall be inserted, and(ii)the word "Bombay" shall be deleted;(2)in section 4, in sub-section (1) after the word "objects" the words "or for erecting, rebuilding or repairing houses" shall be added;(3)for section 5, in its application to the Vidarbha area of the State of Bombay the following shall be substituted, namely:-"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."

5. Repeals and savings.

- The following enactments are hereby repealed, namely(a)The Hyderabad Land Improvement Loans Act, 1950;(b)The Land Improvement Loans Act, 1883, as modified and applied to the Saurashtra area of the State of Bombay by the State of Saurashtra (Application of Central and Bombay Acts) Ordinance, 1948;(c)Section 9A of the Land Improvement Loans Act, 1883, in its application to the Vidarbha region of the State of Bombay;(d)The Central Provinces and Berar Land Improvement Loans (Amendment) Act, 1949;(e)The Hyderabad Agriculturists' Loans Act, 1950;(f)The Agriculturists' Loans Act, 1884, as modified and applied to the Saurashtra area of the State of Bombay by the State of Saurashtra (Application of Central and Bombay Acts) Ordinance,

1948;(g)Sections 5A and 7 of the Agriculturists' Loans Act, 1884, in their application to the Vidarbha region of the State of Bombay;(h)The Central Provinces and Berar Agriculturists' Loans (Amendment) Act, 1947;(i)The Central Provinces and Berar Agriculturists' Loans (Amendment) Act, 1949 :Provided that,-(1)notwithstanding such repeal -(i)an application made for a loan under any of the enactments so repealed shall be deemed to have been made under the provisions of the Land Improvement Loans Act, 1883, or as the case may be, the Agriculturists' Loans Act, 1884, and accordingly such application shall be disposed of;(ii)any sums due in respect of a loan granted under any of the enactments so repealed (including interest thereon and the costs incurred in making or recovering such sums) shall be recoverable as if this Act had not been passed; and(2)such repeal shall not affect any penalty incurred for misapplication of a loan under any of the enactments so repealed and any such penalty may be imposed as if this Act had not been passed.

6. Amendment of Schedule to Hyderabad Act IV of 1331 F.

- In the Hyderabad Stamp Act (IV of 133 IF.), in the Schedule -(a)in article 28, under the heading "Exemptions", in entry (1), after the figures and letters "1950, A. D." where they occur for the second time the words and figures "or under the Land Improvement Loans Act, 1883, or the Agriculturists' Loans Act, 1884" shall be inserted;(b)in article 40, under the heading "Exemptions" in entry (iii), after the figures and letters "1950, A. D." where they occur for the second time, the words and figures "or under the Land Improvement Loans Act, 1883, or the Agriculturists' Loans Act, 1884" shall be inserted.