



THE AGRICULTURISTS' LOANS ACT, 1884



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THE PAKISTAN CODE

THE AGRICULTURISTS' LOANS ACT, 1884

¹ACT No. XII OF 1884

[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, and provide for its extension to ²[any province]; It is hereby enacted as follows:—

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.

3². Local Extent.—(1) This section and section 3 extend to ⁴[the whole of Pakistan].

⁵[(2) The rest of this Act extends in the first instance to Sind, the Karachi Division, the Punjab, the North-West Frontier and District of Sylhet.]

(3) But ⁶[the Provincial Government] may, from time to time, by notification in the official Gazette, extend the rest of this Act to ⁷[the remainder or any other part of the Province].

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

4. Power for Provincial Government to make rules.—(1) The ⁹[Provincial Government] ¹⁰[or, in a province for which there is a Board of Revenue or Financial Commissioner, such Board or Financial Commissioner, subject to the control of the ⁹[Provincial Government]] may, from time to time, ^{11*} * * make rules¹² 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, (XIX of 1883), but connected with agricultural objects.

¹For Statement of Objects and Reasons, see Gazette of India, 1884, Pt. V, p. 2 ; for Proceedings in Council, see *ibid.*, Supplement, pp. 41, 165 and 1130.

This Act has been extended to the Leased Areas of Baluchistan, see the Leased Areas (Laws) Order, 1950 (G. G. O. 3 of 1950) ; and applied in the Federated Areas of Baluchistan, see Gazette of India, 1937, Pt. I, p. 1499.

This Act has been amended in its application to the Province of Punjab, by Punjab Act No. 10 of 1951 and Act. 5 of 1955, s. 2.

This Act has been applied to Phulera in the Excluded Area of Upper Tanawal to the extent the Act is applicable in the N.W.F.P., subject to certain modifications; and also extended to the Excluded Area of Upper Tanawal (N.W.F.P.) other than Phulera with effect from such date and subject to such modifications as may be notified—see N.W.F.P. (Upper Tanawal) (Excluded Area) Laws Regulation, 1950. It has been amended in its application to Sind Province, see Sind Act 10 of 1941.

This Act has been repealed in its application to the Province of West Pakistan, by W. P. Act No. 17 of 1958, s. 5.

²Subs. by A. O., 1949, Sch., for "any part of British India".

³S. 2 declared in force in Baluchistan by Baluchistan Reg. II of 1913, s. 3.

⁴Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for "all the Provinces and the Capital of the Federation" which had been subs. by A. O., 1949 Arts. 3 (2) and 4, for "the whole of British India".

⁵The original sub-section (2) has successively been amended by A. O., 1949, Sch., the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), Ord. 21 of 1960, s. 3 and 2nd Sch. (with effect from the 14th October, 1955), the Repealing and Amending Ordinance, 1961 (1 of 1961), s. 3, and 2nd Sch., and A. O., 1964, Art. 2 and Sch., to read as above.

⁶The original words "any other L.G." have successively been amended by A. O., 1937, A. O., 1949, Sch. A. O., 1961, Art. 2 (with effect from the 23rd March, 1956) and the Repealing and Amending Ordinance, 1961 (1 of 1961), s. 3 and 2nd Sch., to read as above.

⁷The original words "the whole or any part of the territories under its administration" were first subs. by A. O., 1949, Sch., and then amended by Ord. 1 of 1961, s. 3 and 2nd Sch.

⁸Sections 4 and 5 have been amended in their application to the Province of Sind, see Sind Act 10 of 1941, ss. 2 and 3 ; and sub-section (1) of section 4, has been amended in its application to the Punjab, by Punjab Act 10 of 1951, s. 2.

⁹Subs. by A.O., 1937, for "L. G."

¹⁰Ins. by the Decentralization Act, 1914 (4 of 1914), s. 2 and Sch. Pt. I.

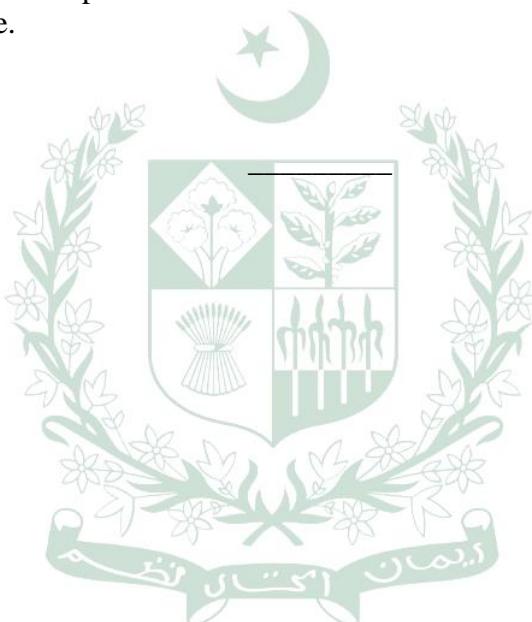
¹¹The words "subject to the control of the G. G. in c." rep., *ibid.*

¹²For rules under this power, see different local Rules and Orders.

(2) All such rules shall be published in the ¹[official Gazette].

²5. 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 their payment 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 authorised 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.



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¹Subs. by A. O., 1937, for "local official Gazette".

²Sections 4 and 5 have been amended in their application to the Province of Sind, see Sind Act 10 of 1941, ss. 2 and 3 ; and sub-section (1) of section 4, has been amended in its application to the Punjab, by Punjab Act 10 of 1951, s. 2.