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PART VI.

BILLS OF THE GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 18th January 1884, and was referred to a Select Committee:—

Bill No. 1 of 1884.

A Bill to amend and provide for the extension of the Northern India Takkávi Act, 1879.

WHEREAS it is expedient to amend the Northern India Takkávi Act, 1879, and provide for its extension to any part of British India; It is hereby enacted as follows:—

1. (1) This Act may be called the Agriculturalists' Loans Act, 1884; and

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

2. (1) This section and section 3 extend to the whole of British India.

(2) The rest of this Act extends in the first instance only to the territories respectively administered by the Lieutenant-Governors of the North-Western Provinces and the Panjáb, and the Chief Commissioners of Oudh, the Central Provinces, Assam and Ajmer.

(3) But any other Local 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 the territories under its administration.

3. (1) On and from the day on which this Act comes into force, the Northern India Takkávi Act, 1879, shall, except as regards the recovery of advances made before this Act comes into force, be repealed.

(2) All rules made under that Act shall be deemed to be made under this Act.

4. (1) The Local Government may, from time to time, with the previous sanction of the Governor General in Council, 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 local official Gazette.

5. 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 due by the person to whom the loan was made or by his surety.

(Cf. Act XIX.
of 1883, s. 9].

6. 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 by each of them 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.

STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to repeal the Northern India Takkávi Act and re-enact it with certain amendments which appear to be desirable.

First.—The existing law makes no provision for the recovery as an arrear of land-revenue of interest on loans made under it and of the costs (if any) incurred by the Government in making loans. Section 3 of Act X. of 1879 only provides for the recovery in this way of the principal sum advanced. Section 5 of the Bill supplies this omission by providing that interest and costs (if any) may be recovered as an arrear of land-revenue in the same manner as the principal.

Secondly.—Act X of 1879 extends only to certain limited areas, namely, the North-Western Provinces and Oudh, the Panjáb, the Central Provinces, Assam and Ajmer. At present, there is no law in force in Bengal or Coorg under which advances of the nature of those with which the Act deals can be made. There are provisions relating to such advances in the laws in force in Bombay, Madras and British Burma; but the Local Governments of Bombay and Madras are prepared to accept the extension of the Northern India Act to their provinces; and the Chief Commissioner of British Burma says that, if that Act is not extended to his province, it will be necessary to amend the law at present in force there in order to provide for the recovery of interest on advances. Provision has, therefore, been made in section 2 of the Bill empowering any Local Government, if it thinks fit, to extend the Act to the whole or any part of the territories under its administration.

Thirdly.—A new section (6) has, at the request of the Panjáb Government, been inserted in the Bill, similar to section 9 of the Land Improvement Loans Act, 1883, recognizing the principle of making loans on the joint responsibility of village-communities.

Lastly.—As the term “Takkávi” is, it is understood, applied in some parts of India to advances of the nature of those to which the Land Improvement Loans Act relates, it is proposed to alter the present title and to style the new Act “the Agriculturists’ Loans Act.”

The 7th January 1884.

(Signed) S. C. BAYLEY.

D. FITZPATRICK,
Secretary to the Government of India.

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Bill No. 1 of 1884.

A Bill to amend and provide for the extension of the Northern India Takkávi Act, 1879.

X. of 1879. WHEREAS it is expedient to amend the Northern India Takkávi Act, 1879, and provide for its extension to any part of British India; It is hereby enacted as follows :—

(Act X. of 1879, s. 1.) 1. (1) This Act may be called the Agriculturists' Loans Act, 1884; and
Short title.
(2) It shall come into force on the first day of June 1884.
Commencement.

2. (1) This section and section 3 extend to the Local extent. whole of British India.

(2) The rest of this Act extends in the first instance only to the territories respectively administered by the Lieutenant-Governors of the North-Western Provinces and the Panjáb, and the Chief Commissioners of Oudh, the Central Provinces, Assam and Ajmer.

(3) But any other Local 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 the territories under its administration.

X. of 1879. 3. (1) On and from the day on which this Act comes into force, the Northern India Takkávi Act, 1879, shall, except as regards the recovery of advances made before this Act comes into force, be repealed.
Repeal of Act X of 1879.

(2) All rules made under that Act shall be deemed to be made under this Act.

4. (1) The Local Government may, from time (Act X. of 1879, s. 3.) to time, with the previous sanction of the Governor General in Council, 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. XIX. of 1883.

(2) All such rules shall be published in the local official Gazette.

5. Every loan made in accordance with such (Cf. Act X. of 1879, s. 4.) 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 due by the person to whom the loan was made or by his surety.

6. When a loan is made under this Act to the (Cf. Act XIX. of 1883, s. 2.) 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 by each of them 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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