

BOMBAY NON AGRICULTURISTS LOANS ACT, 1928

3 of 1928

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BOMBAY NON AGRICULTURISTS LOANS ACT, 1928

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1. Short title.- :-

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

2. Extent.- :-

This Act shall extend to the whole of the ¹ State of Gujarati.

1. Subs. by A.O. Gujarat 1960.

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 or for the relief of distress to any person to whom a loan under the ¹ [Agriculturists'] Loans Act, 1884 (XII of 1884) , cannot be granted.

1. Subs. vide Gujarat. A. 0. 1960.

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 discretion 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 realization of land revenue by the sale of a defaulter's movable or immovable property other, than the land on which that revenue is due:

(d) if the loan is for the benefit of a house, out of a such house- as if it were arrears of land revenue due in respect of the land on which the house stands.

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Explanation.- In this section "Collector" includes a Deputy Commissioner.

1. This Explanations was added Bom. 29 of 1958. s. 3(3).

6. Power to make rules :-

(1) The State Government may, from time to time, by notification in the Official Gazette, make rules to carry out the purpose of this Act.

(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 installments by which an the mode in which loans shall be repaid

7. Repeals and Savings.- :-

¹On and from the commencement of this Act in that part of the

State of Bombay to which it is extended by the Bombay Non-Agriculturists' Loans (Extension) Act, 1957, (Bombay XXIX of 1958) , the Saurashtra Non-Agriculturists' Loans Ordinance, 1949 (Sau. Ord. LXV) , and the Bombay Non-Agriculturists' Loans Act, 1928 (Bom. III of 1928) , as modified and extended to the Kutch area of the ² State of Gujarat, shall stand repealed:

Provided that notwithstanding any such repeal any loan granted under the provisions of the enactments so repealed shall be deemed to have been granted under the provisions of this Act, and any sums due in respect of such loan (including any interest thereon and costs Incurred in making or recovering such sum) shall be recoverable as if they were due under this Act].

1. Section 7 was inserted by Bom. 29 of 1958, s. 3(4).
2. Subs. vide Guj. A. O. 1960.