



The Uttar Pradesh Landless Agricultural Labourers Debt Relief Act, 1975
Act 12 of 1975

Keyword(s):

Civil Courts, Co-operative Society, Debt, Landless Agricultural Labourer, Scheduled Debtor

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THE UTTAR PRADESH LANDLESS AGRICULTURAL LABOURERS
DEBT RELIEF ACT, 1975

[UTTAR PRADESH ACT NO. 12 OF 1975]

(*Authoritative English Text of the Uttar Pradesh Bhumihin Krishi Shramik
Rin Anutosh Adhiniyam, 1975)

AN
ACT

to provide for relief from indebtedness to landless agricultural labourers

IT IS HEREBY enacted in the Twenty-sixth Year of the Republic of India
as follows :—

1. (1) This Act may be called the Uttar Pradesh Landless Agricultural Labourers Debt Relief Act, 1975. Short title, extent
and commencement.

*(For Statement of Objects and Reasons, please see *Uttar Pradesh Gazette (Extraordinary)*, dated December 28, 1974).

(Passed in Hindi by the Uttar Pradesh Legislative Assembly on December 30, 1974 and by the Uttar Pradesh Legislative Council on February 27, 1975.)

[Received the assent of the president on March 26, 1975, under Article 201 of the Constitution of India and published in the *Uttar Pradesh Gazette (Extraordinary)*, dated March 29, 1975].

PRICE 10 PAISE

(2) It extends to the whole of Uttar Pradesh.

(3) It shall come into force at once.

Certain debts and liabilities not to be affected.

2. Nothing in this Act shall affect the debts and other liabilities of any scheduled debtor falling under the following heads, namely,—

- (a) any rent due in respect of any property let out to such debtor ;
- (b) any transaction evidenced by a registered document or a transaction of mortgage by deposit of title deeds ;
- (c) any liability arising out of breach of trust or any tortious liability ;
- (d) any liability in respect of wages or remuneration due as salary or otherwise for services rendered ;
- (e) any liability in respect of maintenance, whether under a decree of court or otherwise ;
- (f) a debt due to—
 - (i) the Central Government or any State Government ;
 - (ii) any local authority ;
 - (iii) any banking company as defined in the Uttar Pradesh Public Moneys (Recovery of Dues) Act, 1972 ;
 - (iv) any corporation as defined in the Uttar Pradesh Public Moneys (Recovery of Dues) Act, 1972 ;
 - (v) any co-operative society ;
 - (vi) any Government company within the meaning of the Companies Act, 1956 ;
- (g) any debt which represents the price of goods purchased by such debtor ;
- (h) any compensation payable on account of partition or division of property, or any compensation referred to in section 29-A of the Uttar Pradesh Consolidation of Holdings Act, 1953 ;
- (i) any sum recoverable as arrears of land revenue.

Definitions.

3. In this Act, unless the context otherwise requires—

- (i) "civil court" includes—
 - (a) any court exercising jurisdiction under the Provincial Insolvency Act, 1920 ;
 - (b) a Nyaya Panchayat established under the U. P. Panchayat Raj Act, 1947 ;
 - (c) a court exercising powers under the Provincial Small Causes Courts Act, 1887 ;
- (ii) "co-operative society" means a society registered or deemed to be registered under the provisions of the Uttar Pradesh Co-operative Societies Act, 1965 ;
- (iii) "debt" means an advance in cash or kind, whether decreed or not, and includes any transaction which is in substance a debt ;
- (iv) "landless agricultural labourer" means a person whose main source of livelihood is agricultural labour or cultivation and who, immediately before the commencement of this Act, either held no land or holds land not exceeding 0.40168564 hectares (one acre) in Uttar Pradesh as a *bhumidhar*, *sirdar*, *asami* or Government lessee ;
- (v) "scheduled debtor" means a person ordinarily residing in Uttar Pradesh who is a landless agricultural labourer.

Consequences of commencement of this Act.

4. Notwithstanding anything contained in any other law for the time being in force or in any contract or other instrument having force by virtue of any such law, and save as otherwise expressly provided in this Act, the

commencement of this Act, ensue, namely :—

(a) every debt advanced before the commencement of this Act, including the amount of interest, if any, payable by a scheduled debtor to a creditor shall be deemed to be wholly discharged ;

(b) no such debt due from the scheduled debtor immediately before the commencement of this Act shall be recoverable from him or from or against any movable or immovable property, belonging to him, nor shall any such property be liable to be attached and sold or proceeded against in any manner in the execution of any decree or order relating to such debt against him ;

(c) no civil court shall entertain any suit or proceeding against a scheduled debtor for the recovery of any amount of such debt, including interest, if any :

Provided that where a suit or proceeding is instituted jointly against a scheduled debtor or any other person, nothing in this clause shall apply to the maintainability of a suit or proceeding in so far as it relates to such other person ;

(d) all suits and proceedings (including appeals, revisions, attachment or execution proceedings) pending on the date of commencement of this Act for the recovery of any such debt against a scheduled debtor shall abate :

Provided that nothing in this clause shall apply to the sale of—

(i) any movable property, held and concluded before the commencement of this Act ;

(ii) any immovable property, confirmed before such commencement ;

(e) every scheduled debtor undergoing detention in a civil prison in execution of any decree for money passed against him by a civil court in respect of any such debt shall be released ;

(f) every movable property pledged by a scheduled debtor shall, stand released in favour of such debtor, and the creditor shall be bound to return the same to the debtor forthwith.

Explanation—Nothing in this section shall be construed to entitle any scheduled debtor to the refund of any part of a debt already repaid by him or recovered from him before the commencement of this Act.

5. Any custom or tradition and any agreement (whether entered into before or after the commencement of this Act), whereunder or by virtue of which a scheduled debtor or any of his dependants or any member of his family is required to work as labourer or otherwise for the creditor shall be void. Agreement for labour in lieu of debt to become void.

6. (1) The Uttar Pradesh Scheduled Castes, Scheduled Tribes and Denotified Tribes Debt Relief Ordinance, 1974, is hereby repealed. Repeal of U. P. Ordinance No. 18 of 1974.

(2) Notwithstanding such repeal, anything done or omitted to be done under or by virtue of its provisions shall be deemed to have been done or omitted to be done under or by virtue of this Act, as if this Act in so far as it relates to landless agricultural labourers belonging to Scheduled Castes, Scheduled Tribes and Denotified Tribes had commenced on October 1, 1974.