

The Bengal Famine Insurance Fund Act, 1938

WEST BENGAL

India

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Act 3 of 1938

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The Bengal Famine Insurance Fund Act, 1938Bengal Act 3 of 1938[5th May, 1938]An Act to provide for the establishment and maintenance in Bengal of a Fund called the Bengal Famine Insurance Fund for expenditure upon relief of, and insurance against famine and distress caused by serious drought, flood, earthquake or other natural calamities.Whereas it is expedient to provide for the establishment and maintenance in Bengal of a Fund for expenditure upon relief of, and insurance against, famine and distress caused by serious drought, flood, earthquake, or other natural calamities;It is hereby enacted as follows :-

1. Short title.

- This Act may be called the Bengal Famine Insurance Fund Act, [1938]. [Figures substituted by W.B. Act 7 of 1948.]

2. Definition.

- In this Act, unless there is anything repugnant in the subject or context, "Fund" means the [West Bengal] [Words substituted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.] Famine Insurance Fund established under section 3.

3. Establishment of the West Bengal Famine Insurance Fund.

- On the commencement of this Act, the [State] [Word substituted by the Adaptation of Laws Order, 1950.] Government shall establish in and for [West Bengal] [Words substituted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.] a Fund, called the [West Bengal] [Words substituted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.] Famine Insurance Fund.The Fund shall consist of -(i)the contribution by the [State] [Words substituted by the Adaptation of Laws Order, 1950.] Government under section 4;(ii)such other sums as the [State] [Words substituted by the Adaptation of Laws Order, 1950.] Government

may contribute to the Fund under section 7; and(iii)the interest which may from time to time accrue on the securities in which the sums to the credit of the Fund may be invested or re-invested under section 6.

4. Initial contribution to the Famine Insurance Fund by State Government.

- As soon as may be after the commencement of this Act, the [State] [Word substituted by the Adaptation of Laws Order, 1950.] Government shall, for the purpose of the establishment of the Fund, make an initial contribution to the Fund, of the sum of ten lakhs of rupees.

5. Purposes for which the Fund may be utilised.

- Expenditure from the Fund shall not be incurred except upon the relief of famine and the relief of distress caused by serious drought, flood, earthquake or other natural calamities :Provided that, if at any time, the total amount of the Fund exceeds twelve lakhs of rupees, the [State] [Word substituted by the Adaptation of Laws Order, 1950.] Government may utilise such excess to meet expenditure on protective irrigation works and other works for the prevention of famine or flood or to pay debt charges for which the [State] [Word substituted by the Adaptation of Laws Order, 1950.] Government may from time to time be liable, including interest, sinking fund charges and redemption charges.

6. Investment and re-investment of amount not required.

- The [State] [Word substituted by the Adaptation of Laws Order, 1950.] Government shall from time to time invest or re-invest in its own securities or in the securities of the Central Government all sums to the credit of the Fund, which may not be immediately required for any of the purposes mentioned in section 5.

7. Accounts of the Fund and making up of the deficiency in the Fund.

(1)The Accounts of the Fund shall be made up at the end of each financial year, the securities, if any, belonging to the Fund, being valued at their market value on the last day of such year and an abstract of such Accounts shall be placed before [* * *] [Words omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.] the [West Bengal] [Words substituted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.] Legislative Assembly [and before the West Bengal Legislative Council when that Council is constituted] [Words inserted by the Adaptation of Laws Order, 1950.] every year along with the annual financial statement of the [State] [Word substituted by the Adaptation of Laws Order, 1950.].(2)If the accounts so made up in respect of any year show that the balance at the credit of the Fund falls short of twelve lakhs of rupees, the deficiency shall be made up by contribution from the revenues of the [State] [Word substituted by the Adaptation of Laws Order, 1950.] :Provided that if the deficiency exceeds two lakhs of rupees, it may be made up in annual instalments, the amount of each instalment except the last being not less than two lakhs of rupees.

8. Contributions under the Act to be charged upon the revenues of the State.

- All contributions made under this Act to the Fund are hereby declared to be expenditure charged upon the revenues of the [State]. [Word substituted by the Adaptation of Laws Order, 1950.]

9. Power of State Government to make rules.

- The [State] [Word substituted by the Adaptation of Laws Order, 1950.] Government may make rules, consistent with this Act, for the purpose of giving effect to the provisions of this Act.