

The M.P. Local Authorities Census Expenses Contribution Act, 1949

MADHYA PRADESH

India

The M.P. Local Authorities Census Expenses Contribution Act, 1949

Act 5 of 1949

- Published on 1 January 1949
- Commenced on 1 January 1949
- [This is the version of this document from 1 January 1949.]
- [Note: The original publication document is not available and this content could not be verified.]

The M.P. Local Authorities Census Expenses Contribution Act, 1949C.P. & Berar Act No. 5 of 1949Statement of Objects and Reasons. - Census Acts till 1941 contained a section specially empowering Provincial Governments to charge the whole or any part of any expenses incurred for anything done in accordance with those Acts or the rules made thereunder, to any Municipal Committee, local board, Union or village fund constituted for and on behalf of the area within which such expenses were incurred. It was held however in 1950 that technically this section was ultra vires of the Central Government. The principle which is as old as the Census itself, however, continued to apply though some Provincial Governments have passed ad hoc Acts to provide formal cover.² The Government of India have since passed the Census Act, 1948, which provides for continuing as distinct from episodic legal cover and have suggested for the consideration of the Provincial Governments the providing of corresponding legal backing within each Province for the purpose of laying census duties and contribution upon all local bodies. This Bill is designed to meet this requirement and empowers the Provincial Government to secure assistance from local authorities in connection with the census and provides for the apportionment of expenses connected therewith between the local authorities and Government. Received the assent of the Governor on 16-3-1949; assent first published in the "Central Provinces and Berar Gazette" on 25-3-1949. An Act to provide for contribution by local authorities of a portion of the expenses to be incurred in connection with the taking of census and for certain other purposes. Preamble. - Whereas it is expedient to provide for contribution by local authorities of a portion of the expenses to be incurred in connection with the taking of census and for certain other purposes.

1. Short title and extent.

(1) This Act may be cited as the [Madhya Pradesh] [Substituted by M.P. Act No. 23 of 1958 (w.e.f. 1-1-1959).] Local Authorities Census Expenses Contribution Act, 1949. (2) It extends to the whole of

[Madhya Pradesh.] [Substituted by M.P. Act No. 23 of 1958 (w.e.f. 1-1-1959).]

2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context-(a)"Census" means a census taken in accordance with the provisions of the Census Act, 1948;(b)"prescribed" means prescribed by rules made under this Act.

3. Power in regard to expenses.

- Notwithstanding anything contained in any enactment in regard to the funds of any local authority, the State Government may direct that such portion of any expenses, as may be prescribed, incurred for anything done in accordance with the Census Act, 1948, or the rules made thereunder may be charged to the funds of any local authority constituted for and on behalf of the area within which such expenses were incurred.

4. Obligation of local authority to give assistance.

- Every local authority shall be bound to give such assistance in connection with a census as it may be called upon to give by an order made under Section 6 of the Census Act, 1948.

5. Power to enforce orders.

- If the State Government after receiving a report from the District Magistrate or the Superintendent of Census is satisfied that a local authority has made default in performing any duty imposed on it by or under this Act or the Census Act, 1948, or has failed to make payment of expenses or cost as required by or under Section 3 of this Act or Section 16 of the Census Act, 1948, the State Government may make such orders and take such steps as it may consider expedient for securing performance of such duties or the payment of such expenses or costs as the case may be.

6. Rules.

(1)The State Government may make rules to carry out the purposes of this Act.(2)In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :-(a)the portion of the expenses incurred in connection with the taking of census which may be charged under this Act to the fund of any local authority;(b)the manner in which sums charged under this Act shall be computed and paid;(c)the manner in which and the extent to which any duty connected with census may be performed by a local authority.