

The Haryana Rural Development Fund Act, 1983

HARYANA

India

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Act 12 of 1983

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The Haryana Rural Development Fund Act, 1983 Haryana Act No. 12 of 1983 Received the assent of the Governor of Haryana on the 28th September, 1983, and was published in the Haryana Gazette (Extraordinary) Legislative Supplement, Part I, dated September 30, 1983. An Act to provide for the establishment of the Haryana Rural Development Fund. Be it enacted by the Legislature of the State of Haryana in the Thirty-fourth Year of Republic of India as follows :-

1. Short title, extent and commencement.

(1) This Act may be called the Haryana Rural Development Fund Act, 1983. (2) It shall extend to the whole of the State of Haryana. (3) It shall come into force at once. [2. Definitions. - In this Act unless there is anything repugnant to the context, - (a) "agricultural produce" means all produce whether processed or not, of agriculture, animal husbandry or forest as may be prescribed; (b) "Board" means the Haryana State Agricultural Marketing Board established under the Punjab Agricultural Produce Markets Act, 1961; (c) "dealer" means any person who within the notified market area sets up, establishes or continues or allows to be continued any place for the purchase, sale, storage or processing of agricultural produce, or in the notified market area purchases, sells, stores or processes such agricultural produce; (d) "Fund" means the Haryana Rural Development Fund; (e) "notified market area" means any area notified under Section 6 of the Punjab Agricultural Produce Markets Act, 1961 to be a notified market area; (f) "prescribed" means prescribed by rules made under this Act; (g) "processing" means giving a treatment or a series of treatment to an agricultural produce in order to make it fit for use or consumption and includes manufacturing of an agricultural produce; (h) "rural area" means an area the population of which does not exceed twenty thousand persons.]

3. Imposition and Collection of Cess.

(1) With effect from such date, as the State Government may by notification appoint in this behalf, there shall be levied on the dealer for the purposes of this Act, a cess on ad valorem basis, at the rate

of one per centum of the sale-proceeds of agricultural produce brought or sold or brought for processing in the notified market area :Provided that except in case of agricultural produce brought for processing,-(a)no cess shall be leviable in respect of any transaction in which delivery of the agricultural produce bought or sold is not actually made; and(b)that the cess shall be leviable only on the dealer in respect of any transaction in which delivery is actually made.(2)The cess as hereinbefore provided shall be paid by the dealer, in such manner as may be prescribed, to such officer or person, as may be appointed or designated by the State Government in this behalf.(3)The dealer shall in turn be entitled to pass on the burden of the cess paid by him to the next purchaser of the agricultural produce from him and may, therefore, add the same in the cost of agricultural produce or the goods processed or manufactured out of it.(4)The arrears of cess shall be recoverable as arrears of the land revenue.

4. Constitution of fund.

(1)There shall be constituted a fund called the Haryana Rural Development Fund and it shall vest in the State Government.(2)It shall be administered by such officer or officers of the State Government as may be appointed by it in this behalf.(3)The amount of cess paid to the officer or the person shall be credited to the Haryana Rural Development Fund within such period as may be prescribed.(4)To the credit of the Fund shall be placed -(a)all collections of cess under Section 3; and(b)grants from the State Government and local authorities.(5)The Fund shall be applied by the State Government to meet the expenditure incurred, in the rural areas, in connection with the development of roads, hospitals, means of communication, water-supply, sanitation facilities and for the welfare of agricultural labour or for any other scheme approved by the State Government for the development of rural areas. The Fund may also be utilised to meet the cost of administering the Fund.(6)The State Government shall publish annually in the Gazette the report of the activities financed from the Fund, together with an estimate of receipts and expenditure of the Fund and a statement of accounts.

5. Penalty.

- Any person who contravenes the provisions of this Act or the rules framed thereunder shall be punishable with fine which may extend to five hundred rupees or upto the amount of cess which the dealer is liable to pay, whichever is more.

6. Power to make rules.

(1)The State Government may make rules to carry into effect the purposes of this Act.(2)Without prejudice to the generality of the foregoing power, such rules may provide for -(a)the making of refunds and recoveries of the cess imposed under Section 3;(b)the form of estimate and statement referred to in sub-section (6) of Section 4; and(c)period within which the amount is to be deposited under sub-section (3) of Section 4; and(d)the conditions governing the grant of money from the Fund.

7. Protection of action taken in good faith.

- No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of the State Government [or Board or local authority] [Added by Haryana Act No. 17 of 1994.] in respect of anything which is in good faith done or intended to be done in pursuance of this Act or of any rules or orders made thereunder.

8. Power to remove difficulties.

- If any difficulty arises in giving effect to the provisions of this Act, the State Government may by order do anything not inconsistent with such provisions which appears to it to be necessary or expedient for the purpose of removing the difficulty.[Substituted by Haryana Act No. 17 of 1984.]