

The Bihar Famine Relief Fund Act, 1936

BIHAR

India

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Act 5 of 1936

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The Bihar Famine Relief Fund Act, 1936(Bihar Act 5 of 1936)[Governor-General's assent published in the Bihar Gazette of the 20th January, 1937.]An Act to provide for the establishment and maintenance of a Famine Relief Fund in the province of Bihar.Whereas it is expedient to provide for the establishment and maintenance in the Province of Bihar of a Fund for utilization on occasion of distress caused by drought, flood or other natural calamities in the said province.It is hereby enacted as follows:-

1. Short title, extent and commencement.

(1)This Act may be called the Bihar Famine Relief Fund Act, 1936.(2)It extends to the whole of the [State] [Substituted by A.L.O.] of Bihar.(3)(a)This Section shall come into force at once.(b)The remaining provisions of this Act shall come into force on such [date] [Sections 2 to 7 of the Act came into force on the 6th January, 1937, see Notification No., 4047-F., dated the 10th May, 1937.] as the [State] [Substituted by A.L.O.] Government may, by notification, appoint.

2. Definition.

- In this Act "the Fund" means the Bihar Famine Relief Fund established under Section 3.

3. Establishment of the Bihar Famine Relief Fund.

(1)On the commencement of this Act, the [State] [Substituted by A.L.O.] Government shall establish in and for the [State] [Substituted by A.L.O.] of Bihar a fund called "The Bihar Famine Relief Fund".(2)The Fund shall consist of-(a)the securities of the [Central Government] [Substituted by A.L.O.] mentioned in Section 4 or any other securities of the [Central Government] [Substituted by A.L.O.] to which the said securities may be converted and any securities in which sums placed to the credit of the Fund under Section 7 may be invested;(b)the interest which may from time to time accrue on the securities mentioned in clause (a); and(c)such other sums as may be placed to the

credit of the Fund under sub-section (2) of Section 7.

4. Withdrawal of the Famine Relief Fund and its investment in the securities of the Central Government.

- The [State] [Substituted by A.L.O.] Government shall, on the commencement of this Act, apply to the [Central Government] [Substituted by A.O. for 'Governor-General in Council'.] for permission to withdraw ten lakhs of rupees out of the balance at their credit in the Famine Relief Fund maintained under Schedule IV to the [Devolution Rules] [The Devolution Rules, framed under Sections 45A and 129A of the Government of India Act, 1919, ceased to be in force on the 1st April 1937, when Part III of the Government of India Act, 1935 came into force.] and, on such permission being accorded, the [State] [Substituted by A.L.O.] Government shall invest the aforesaid ten lakhs of rupees in securities of the [Central Government] [Substituted by A.O. for 'Governor-General in Council'.],

5. Purposes for which the Fund may be utilized.

- The Fund shall not be expended except upon the relief of distress caused by drought, flood or other natural calamities occurring in the [State] [Substituted by A.L.O.] of Bihar.

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

- The [State] [Substituted by A.L.O.] Government shall from time to time invest or re-invest in securities of the [Central Government] [Substituted by A.O. for 'Governor-General in Council'.] 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 belonging to the Fund being valued at their market value on the last day of such year.(2)If the accounts so made up show that the balance in the Fund at the end of such year is less than ten lakhs of rupees, there shall be placed to the credit of the Fund out of the Revenues of the [State] [Substituted by A.L.O.] in the financial year immediately following the year for which the accounts have been made up, and, if necessary, in each succeeding financial year, such amount as is required to increase the said balance to ten lakhs of rupees:Provided that the same amount so placed to the credit of the Fund in any year shall not exceed two lakhs of rupees:[Provided, further, that it shall not be necessary to make up in a subsequent year, any such deficiency, if the balance in the Fund has, at any time during such subsequent year, reached the sum of ten lakhs.] [Inserted by Section 2 of Bihar 12 of 1939.]